

MOORE COUNTY PLANNING BOARD
THURSDAY, April 5, 2018, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd Floor

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of February 1, 2018
- C. Consideration of Abstentions

III. PUBLIC HEARINGS

1. **Lee McKinney is requesting a General Use Rezoning:** Lee McKinney, Pastor of New Covenant Fellowship of Carthage, NC is requesting a General Use Rezoning from Rural Agricultural (RA) to Neighborhood Business (B-1) of an approximate 10.44 acre parcel, located at 1305 Hulsey Rd, further described as New Covenant Fellowship Church, owned by New Covenant Fellowship of Carthage, NC, per Deed Book 3787, Page 591.
2. **Sid Barnett is requesting a General Use Rezoning:** Sid Barnett is requesting a General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the northwestern portion, being approximately 5.29 acres, of an approximate 9.55 acre parcel, located at 5420 US Hwy 1, Vass, adjacent to US Hwy 1 and Trudeau Lane, further described as Pee Wee Self Storage, owned by Lorraine Duame Trudeau Trustee, per Deed Book 4614 Page 482, to result in the entire property to be zoned Highway Commercial (B-2).
3. **Rodney Swarms is requesting conditional rezoning:** Rodney Swarms is requesting conditional rezoning from Residential and Agricultural-5 (RA-5) to Highway Commercial Conditional Zoning (B-2-CZ) for commercial, office, and recreational uses of an approximate 13.24 acre parcel, located at 8003 NC 211 Hwy, West End, NC, owned by Baptist Children's Homes of NC, Inc., per Deed Book 2005E, Page 123.
4. **Moore County Planning Staff is requesting the following amendments to the Moore County Unified Development Ordinance:** Amend the Moore County Unified Development Ordinance to include dimensional standards, off-premise signs, home occupation level 2, manufactured home definition, drop-in child care facilities, community meeting requirements for conditional rezoning, cluster mailboxes, accessory horse barns, nonconforming building expansions, minor subdivision utility extensions, open space requirements for conservation subdivision, and amend the definition of lot lines.

IV. PLANNING DEPARTMENT REPORTS

V. BOARD COMMENT PERIOD

VII. UPCOMING EVENTS

- Tuesday, April 10, 2018 3:00 PM Subdivision Review Board Meeting to be held at the Public Works Conference Room in Carthage
- Tuesday, April 17, 2018 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- Tuesday, April 24, 2018 3:00 PM Subdivision Review Board Meeting to be held at the Public Works Conference Room in Carthage
- Tuesday, May 1, 2018 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, May 3, 2018 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**

VIII ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, February 1, 2018 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Eddie Nobles (Chairman), Matthew Bradley, Harry Huberth, John Matthews, John Cook, Jeffery Gilbert, Bobby Hyman

Board Members Absent: David Lambert, Joe Garrison,

Staff Present: Debra Ensminger, Planning Director
 Brian Godfrey, County Attorney
 Theresa Thompson, Senior Planner
 Darya Cowick, Planner
 Stephanie Cormack, Administrative Assistant

CALL TO ORDER

Chairman Eddie Nobles called the meeting to order at 6:00 pm.

INVOCATION

Board Member Bobby Hyman offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member John Cook led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member Harry Huberth read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of October 5th, 2017
- C. Consideration of Abstentions

Board Member Jeffrey Gilbert made a motion to approve the consent agenda. The motion was seconded by Board Member Harry Huberth and the motion passed unanimously (7-0).

PUBLIC HEARING

Chairman Nobles opened the Public Hearing and recessed as the Planning Board to act as the Watershed Review Board.

Public Hearing #1 - Special Non-residential Intensity Allocation (SNIA) Request (O'Reilly Automotive Stores, Inc-4209 NC Hwy 211

Senior Planner Theresa Thompson presented to the Board a request for O'Reilly Automotive Stores, Inc. who is seeking a Special Non-residential intensity Allocation (SNIA) to increase the maximum built-upon area to 50.90% on two adjacent properties located at 4209 NC Hwy 211 in the Seven Lakes Village Business district to construct an O'Reilly Auto Store with parking and a driveway located in balance of the water shed III Drowning Creek watershed overlay district. The watershed allows up to 12% built upon area except with the approval of a SNIA which the board can approval up to 70% built upon area.

To date three (3) SNIA's have been approved in the Drowning Creek watershed for a total of 7.19 acres leaving a balance of 2,213.63 acres for future allocation. If approved based on the project size which is 1.2 acres of land will leave 2,212.41 acres of land for future allocation. State Law requires 5% to be set aside of the total 2,212 acres for public project such as schools and utility stations which will be 116.89 acres.

The applicant has submitted a storm water control plan illustrating a detention pond being located adjacent to the parking lot. The applicants Engineer has also submitted a letter stating that he storm water plan is designed in according to NC DEQ storm water best management practices. The applicant meets all UDO requirements for the SNIA approval therefore Moore County staff recommends approval of the SNIA request.

Minor discussion was held by the board which was not relevant as a Watershed Review Board.

With no further discussion Theresa Thompson requested the Watershed Review Board make a motion to approve the Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 5090% on two adjacent properties known as Parcel ID 94000440, 00020121, located at 4209 NC Hwy 211, West End owned by O'Reilly Automotive Stores, Inc.

Board member Harry Huberth made a motion to approve the Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 5090% on two adjacent properties known as Parcel ID 94000440, 00020121, located at 4209 NC Hwy 211, West End owned by O'Reilly Automotive Stores, Inc. The motion was seconded by Board Member John Cook; the motion passed unanimously 7-0.

Chairman Nobles recessed as the Watershed Review Board and resumed as the Planning Board.

Public Hearing #2 - Juniper Ridge Partners, LLC General Use Rezoning

Senior Planner Theresa Thompson presented to the Board a request for a General Use Rezoning for Juniper Ridge Partners, LLC. Juniper Ridge Partners, LLC is requesting to rezone an approximate 8,925sf lot which is about two tenth of an acres from Hwy Commercial to the RA-40 zoning district. The property is currently undeveloped and has been recombined with an approximate 8 acre track surrounding it to be incorporated as a lot in the Phase 3 of the Juniper Ridge subdivision.

The surrounding area is currently zoned a mixture of commercial and residential as well as the adjacent land use is of commercial and residential uses. The Future Land Use map classifies this area as the Rural Agricultural Land Use Classification which is generally not compatible with the proposed RA-40 zoning district. The Land Use Plan states the primary use of the Rural Agricultural Land Use Classification is to support rural residential life associated with agricultural uses and other rural activities. It further states that major subdivisions of land are strongly discouraged. Although this site is located within the Rural Agricultural Land Use Classification (RALUC), the site is located adjacent to an existing major residential subdivision “Juniper Ridge” and the site has infrastructure available including County Water to support a medium density development. The site is also located near the Town of Taylortown and the Village of Pinehurst, providing practicality, easy access, and reduced travel times to the nearby towns.

The proposed rezoning is compatible with the current land use goals therefore staff recommends the Moore County Planning Board make two separate motions. The first motion will be to adopt or deny the attached Land use Plan Consistency Statement as specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan which was originally approved by the BOC September 2017. General Statutes require the declaration to be approved whenever it contradicts an element in the Land Use Plan map, by approval it will automatically update the Land Use Plan map as a medium density Residential Land Use Classification. Therefore going from Rural Agricultural to Medium Density Land Use and the motion to approve statement would need to be included. The second motion would be to recommend approval or denial to the Moore County Board of Commissioners.

Board Member Gilbert inquired about clarification of Phase 3 zoning.

Mrs. Thompson explained under the current zoning which is RA-40 major subdivision are permitted in those districts.

Board Member Matthews inquired if the Planning Board could apply a contingency that the 75 foot buffer as illustrated on the preliminary site plan remains.

Mrs. Thompson explained that the buffer was not a requirement and that process would be handled at the Subdivision Review Board level. The applicant could use the 30% open space requirement as part of the open space and the map provided was only a draft

and not part of the design in Phase 3 and the Planning Board is to only look at the rezoning request.

With no further discussion John Matthews made a motion to adopt the attached Land Use Plan Consistency Statement as specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan. The motion was seconded by Board Member Harry Huberth; the motion passed unanimously 7-0.

Board Member John Matthews also made a motion to recommend approval to the Moore County Board of Commissioners of the general use rezoning from Highway Commercial (B-2) to result in the south western portion of an approximate 8.77 acre parcel, being approximately 8,925 square feet, located adjacent to 990 juniper Lake Road and adjacent to Mountain Run Road, being rezoned to Residential and Agricultural-40 (RA-40). The motion was seconded by Board Member Matthew Bradley; the motion passed unanimously 7-0.

Public Hearing #3-Moore County staff is requesting amendments to the Moore County Unified Development Ordinance.

- Rewrite “Debris management Facility” to include the following facilities: Compost, Yard Waste, Land Clearing & Inert Debris, Mulching, Concrete Recycling, and Sawmills.
- Rewrite “Landfill” to include the following facilities: Municipal Solid Waste Management facility, Construction & Demolition Landfill Facility, Industrial Solid Waste Landfill, & Material Recovery Facility.

Planner Darya Cowick presented to the board there have been some changes to the debris management section in response to an applicant’s inquires to receive an LCID (Land Clearing & Inert Debris Landfill). The current UDO does not have the definition of LCID. These definitions were updated to meet DEQ (Department of Environmental Quality). Prior to an applicant receiving and LCID from DEQ the applicant would need to receive approval from the County.

The County wanted to make sure the definitions mirrors DEQ definitions and the counties have the same approval standards. These changes will bring consistency between local and state regulations and will assist applicants in the permitting process. Moore County staff has worked with the Division of Waste Management during the update process.

Mrs. Cowick highlighted some of the updates and changes to the Unified Development Ordinance as outlined below:

- Consolidated lower intensity debris management land uses in the category of land use facilities. High intensity categories as listed in the table of uses will not be amended nor will they be made more restrictive.
- Items considered as lower intensity debris management uses now match the state standards.

- Compost facilities are biodegradable waste that turns to compost and intended for reuse by the public.
- Yard waste is similar to compost however cannot be sold or intended for public use and 75% of this type of waste will need to be removed from the facility each calendar year.
- LCID language was added due to an inquiry to the shortage within the county.
- Mulching Facility will not change.
- Concrete Recycling Facility was added as a new use to accommodate concrete recycling facilities.
- Sawmills will not change.
- Chapter 8 (Specific Use Standards) , Section 8.104 (landfill) definitions have been added to include MSWF (Municipal Solid Waste Management Facility), C&DLF (Construction and Demolition Landfill Facility), Industrial Solid Waste Landfill and Material recovery Facility.
- Chapter 8 (Specific Use Standards), Section 8.106 (Mulching) has been relocated under debris management facilities.

Mrs. Cowick explained the above was consistent with the goals of the Land Use Plan and recommends the Moore County Planning Board make two separate motions: To adopt the Moore County Planning Board Land Use Plan Consistency Statements and authorize its Chairman to execute the document as required by North Carolina Statute 153A-341. To recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

Board Member Gilbert inquired about further clarification between yard waste vs. land clearing and inert debris, Mr. Gilbert also inquired whether land clearing debris would be placed in a yard waste facility.

Mrs. Cowick explained to the board land clearing and inert debris applies to when someone is building a new home or subdivision.

Mr. Gilbert indicated that land clearing decomposes over time.

Mrs. Cowick agreed that land clearing does decompose over a longer period of time unlike yard waste from leaves and small limbs. Land clearing would be considered as large trees and possible road removal debris and would be buried in the ground instead of decomposing.

Mr. Hubeth inquired if a permit would need to be obtained from the state or the county prior to having this type of waste facility.

Mrs. Cowick explained this type of facility would need to meet zoning requirements as well as state requirements.

Mr. Huberth wanted to make sure the county was not approving unregulated facilities.

Mrs. Cowick concurred the county would not be approving unregulated facilities.

Chair Nobles added only a few areas within the county per the UDO could be regulated.

With no further discussion Harry Huberth made a motion to adopt the Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member John Cook; the motion passed unanimously 7-0.

Board Member Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioner of the proposed text amendment to the Moore County Unified Development Ordinance.

OTHER BOARD MATTERS

No other board matters were discussed.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger provided the board with an upcoming training opportunity for Board Members on April 12th located at the Moore County Ag Building from 1pm-4:30 pm conducted by Adam Lovelady from the UNC School of Government. Ms. Ensminger also provided the board with the upcoming BOC meeting dates and stated the items discussed at the Planning Board meeting will go before the BOC for a Call To Public Hearing on February 6th and the Public Hearing will be on February 20th.

BOARD COMMENT PERIOD

No other board matters were discussed.

ADJOURNMENT

Board Member Bobby Hyman made a motion to adjourn the February 1st, 2018 regular meeting. The motion was seconded by Board Member John Cook and the motion passed unanimously 7-0.

Respectfully submitted by,

Stephanie Cormack

Agenda Item: 1
Meeting Date: April 5, 2018

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: March 8, 2018

SUBJECT: General Use Rezoning Request: Rural Agricultural (RA) to
Neighborhood Business (B-1)

PRESENTER: Theresa Thompson

REQUEST

Lee McKinney, Pastor of New Covenant Fellowship of Carthage, NC is requesting a General Use Rezoning from Rural Agricultural (RA) to Neighborhood Business (B-1) of an approximate 10.44 acre parcel, located at 1305 Hulsey Rd, further described as New Covenant Fellowship Church, owned by New Covenant Fellowship of Carthage, NC, per Deed Book 3787, Page 591.

This case was properly advertised, public hearing sign posted on the property, and all adjacent property owners were notified.

BACKGROUND

Planning staff reached out to the Town of Carthage to seek input regarding the rezoning due to the subject parcel being within close proximity to the Town. The Town Clerk, Dorrie Dutton, stated in written correspondence: "The Town has concluded that we are not in favor of the rezoning of that tract from RA to B-1. Our general opinion is that rezoning the property as B-1 would potentially allow too many commercial uses immediately next door to residential uses, many of which are located in the Town's zoning jurisdiction."

ZONING DISTRICT COMPATIBILITY

The existing use on the subject property is the New Covenant Fellowship Church which also includes a pre-school and daycare. The church was established on the property in 2005 and has a current membership of 450 people. Nearby land uses include agriculture (crop land), medium density single family residential (Forest Ridge Subdivision & Cabin Branch Subdivision), New Century Middle School, and Union Pines High School. The Land Use Map is attached for your review.

The requested zoning to Neighborhood Business (B-1) will place generally compatible uses within the area. The surrounding area is zoned a mixture of Rural Agricultural (RA) and Carthage's R-20, R-40, and RM-40 Zoning Districts. The Neighborhood Business (B-1) District is intended to be located near residential areas and is further described as "a district to provide for the development of commercial and services uses that serve community's commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to

minimize conflicts with surrounding residential areas.” For specific permitted uses refer the Permitted Use Table, which is attached.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The site has a Rural Agricultural Land Use Classification. The requested zoning to Neighborhood Business (B-1) is not in general compatibility with the Rural Agricultural Land Use Classification. The Land Use Plan states the primary use of the Rural Agricultural Land Use Classification is to support rural residential life associated with agricultural uses and other rural activities. It further states that major subdivisions of land are strongly discouraged.

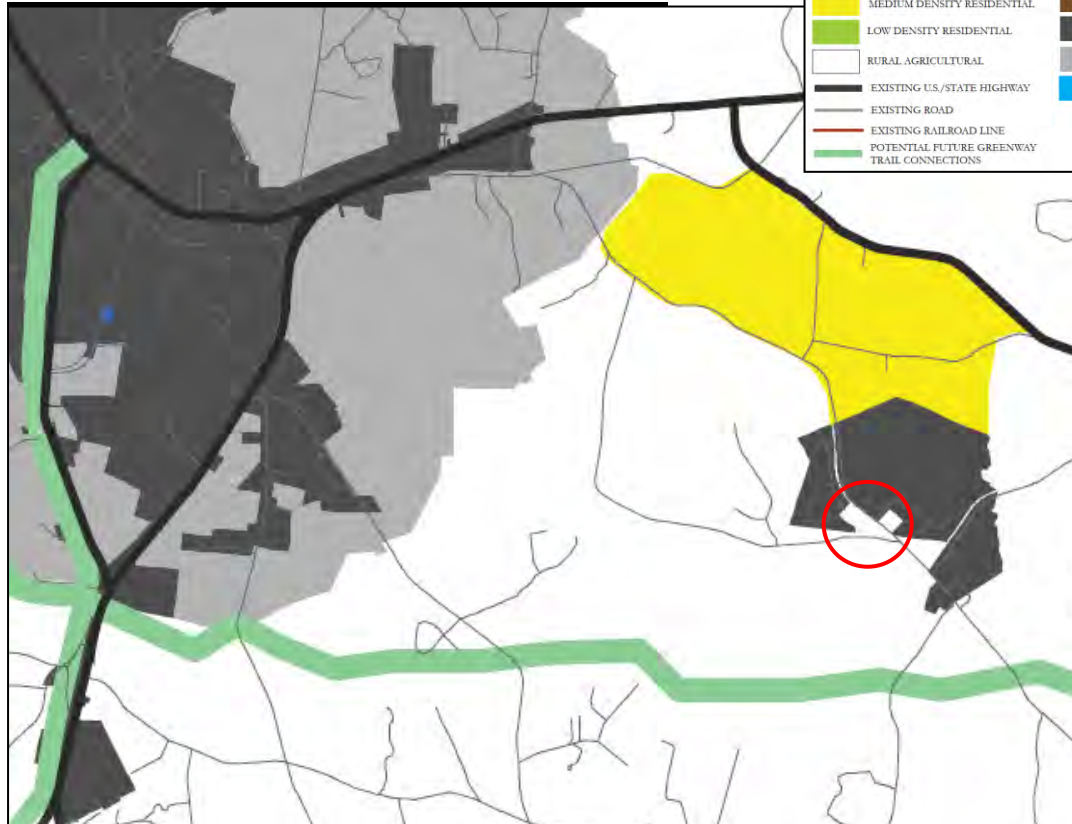
Although this site is located within the Rural Agricultural Land Use Classification, the site is located adjacent to two major residential subdivisions “Forest Ridge” and “Cabin Branch.” The site is also located near the Town of Carthage providing practicality, easy access, and reduced travel times to the nearby towns.

The site is located close to the Moore County Medium Density Residential Land Use Classification and is also located adjacent to the Town of Carthage’s Medium Density Residential Land Use Classification, as indicated by the yellow color on the maps below.

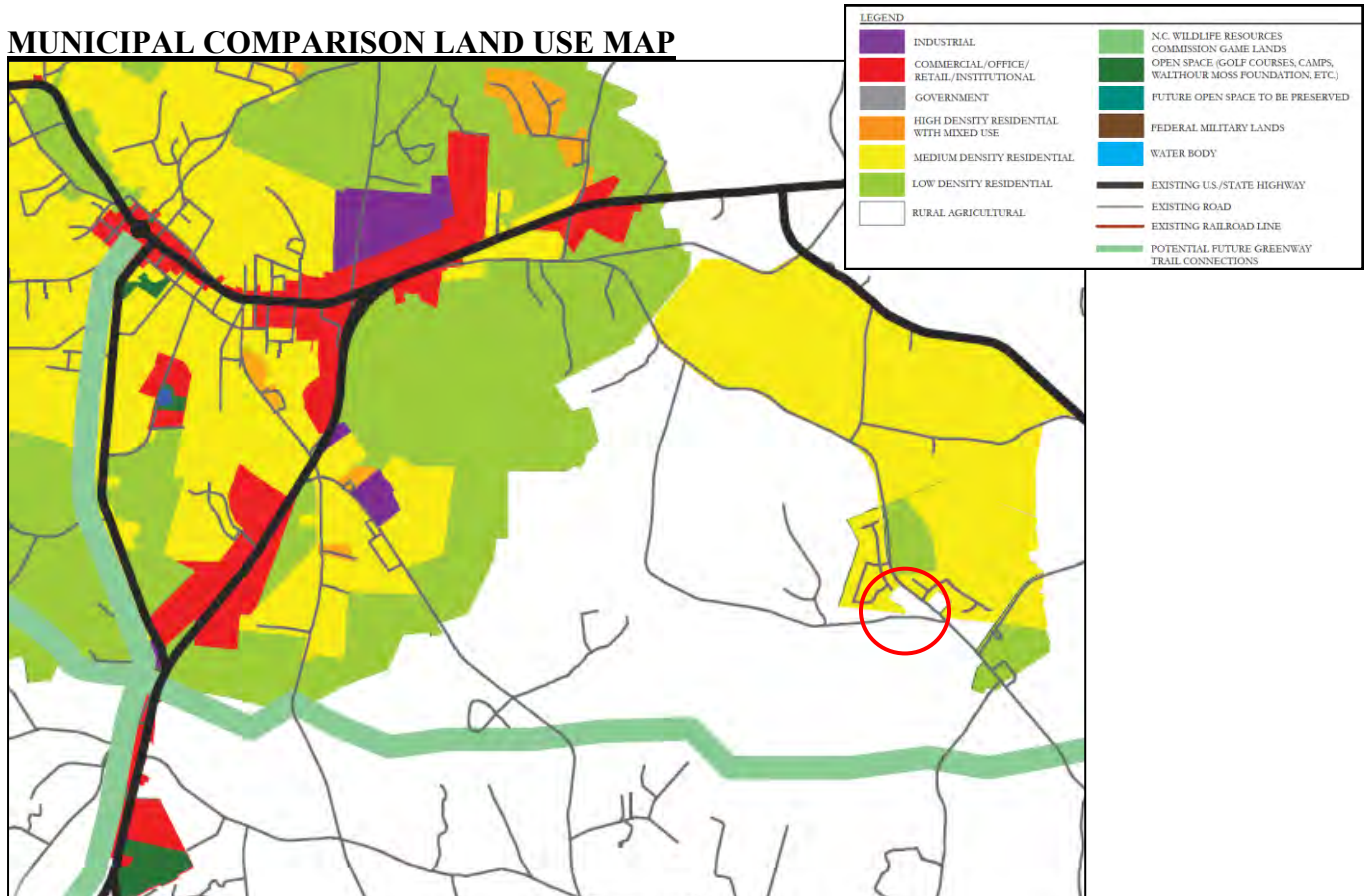
The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Therefore, staff recommends updating the Land Use Map to reclassify this site to the Medium Density Residential Land Use Classification. The Land Use Plan states the Medium Density Residential Land Use Classification is categorized for a Density of 2 to 4 dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others. Density would require engineered sewerage disposal systems. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue, open space, and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

MOORE COUNTY FUTURE LAND USE MAP



MUNICIPAL COMPARISON LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt or deny the attached Land Use Plan Consistency Statement. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

Motion #2: Make a motion to recommend approval or denial to the Moore County Board of Commissioners the general use rezoning from Rural Agricultural (RA) to Neighborhood Business (B-1) of an approximate 10.44 acre parcel, located at 1305 Hulsey Rd, Carthage, NC.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Submitted Rezoning Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO Chapter 6. Table of Uses
- Deed Book 3787, Page 591

View subject property from Hulsey Rd



View of subject property



View of undeveloped part of subject property



Adjacent property – Forest Ridge Subdivision



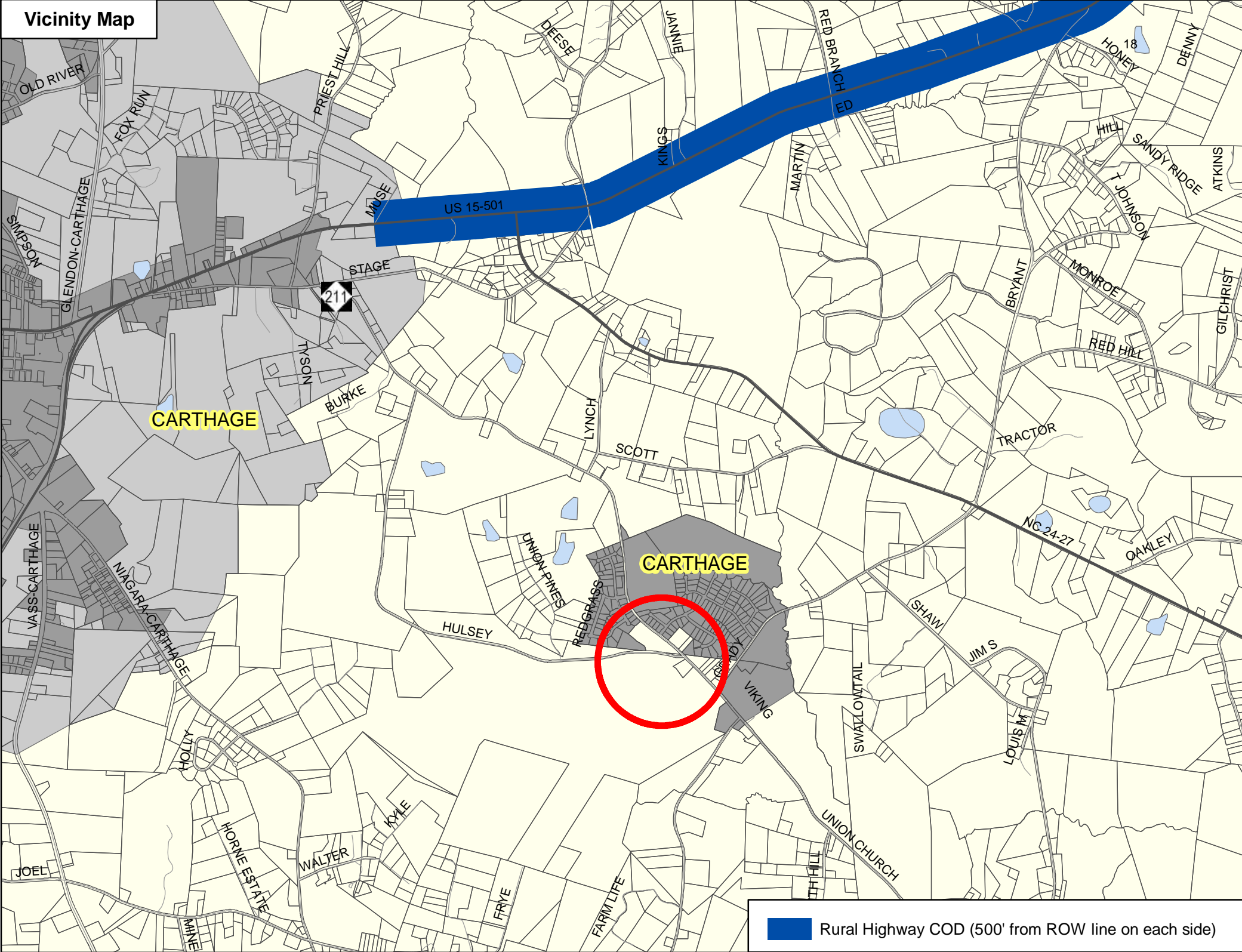
Adjacent Property – 1805 Union Church Rd



Adjacent Property – 1840 Union Church Rd



Vicinity Map



Land Use Map

New Century Middle School

Cabin Branch
Subdivision

MAGNOLIA HILL

Forest Ridge Subdivision

TIMBERWOOD

Forest Ridge Subdivision

WOODED ACRE

PINEMERE

Single Family
Dwelling

Undeveloped

HULSEY

Agricultural Land

Single Family
Dwelling

UNION CHURCH

Single Family
Dwellings

GRADY

Union Pines
High school

19

ALMOND

CASHEW

Rezoning Map

20

Town of Carthage Zoned Residential Agricultural

Town of Carthage
Zoned Residential
Low Density






















Town of Carthage
Zoned Residential Low Density

Shaded area
requested to be rezoned
from RA to B-1

Town of Carthage Zoned
Residential Agricultural

RA

Legend

 B-1	 PUD/CUD	 RA-40
 B-1-CUD	 PUD-H	 R-MH
 B-2	 RA	 RA-CUD
 GC-SL	 RA-2	 RA-USE
 GC-WL	 RA-2-CUD	 RE
 I	 RA-5	 VB
 P-C	 RA-20	 VB-CUD


County of Moore
Planning and Transportation

21



Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389

GENERAL USE REZONING APPLICATION

Application Date: January 31, 2018			
Location/Address of Property: 1305 Hulsey Rd., Carthage, NC 28327			
Applicant: New Covenant Fellowship			Phone: 910-947-1412
Applicant Address: 1305 Hulsey Rd.	City: Carthage	St: NC	Zip: 28327
Owner: New Covenant Fellowship			Phone: 910-947-1412
Owner Address: 1305 Hulsey Rd.	City: Carthage	St: NC	Zip: 28327
Current Zoning District: Rural Agricultural (RA)		Proposed Zoning District: Neighborhood Business (B-1)	
Comments: <i>New Covenant Fellowship has chartered a private Christian school with the State of NC. Fellowship Christian Academy will be grown slowly but we seek to rezone our property in compliance with county zoning restrictions.</i>			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
		<i>2-5-18</i>	
Applicant/Owner Signature		Date	
Applicant/Owner Signature		Date	
Office Use Only: PAR ID: <i>20030311</i> <i>Shawn Thompson</i> <i>2-5-18</i> Received By Date			

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Rural Agricultural (RA) to Neighborhood Business (B-1)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Medium Density Residential Land Use Classification.

3. Contributing factors in the rezoning approval is the Medium Density Residential Land Use Classification is to support non-residential neighborhood uses, such as schools, daycares, and churches.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to the existing major residential subdivisions “Forest Ridge” and “Cabin Branch”, has access to public water, and is in close proximity to the Town of Carthage providing practicality, easy access, and reduced travel times to nearby towns.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning Request, to result in an approximate 10.44 acre parcel, located at 1305 Hulsey Rd, being rezoned to Neighborhood Business (B-1), as

proposed. The approval is also deemed an amendment to the Land Use Plan Future Land Use Map.

Eddie Nobles, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
 General Use Rezoning Request
 Rural Agricultural (RA) to Neighborhood Business (B-1)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

3. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning Request, to result in an approximate 10.44 acre parcel, located at 1305 Hulsey Rd, being rezoned to Neighborhood Business (B-1), as proposed.

 Eddie Nobles, Chair
 Moore County Planning Board

 Date

CHAPTER 6

TABLE OF USES

6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to a permitted individual use by applying the following criteria:
1. The actual or projected characteristics of the activity.
 2. The relative amount of site area or floor space and equipment utilized.
 3. Relative amounts of sales from the activity and customer type for the activity.
 4. The relative number of employees and hours of operation.
 5. Building and site arrangement and likely impact on surrounding properties.
 6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

ACCESSORY USES & ACCESSORY BUILDINGS	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

AGRICULTURAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			C	C			C		C						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									C						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility										Z		C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCSL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									C					P	8.20	B
Animal Training Facility, Military									C					P	8.21	B
Kennels, Overnight									C			C	C	P	8.22	B
Pet Day Care, Grooming, Obedience Training									C		P	P	P		8.23	B
Veterinary Clinic							P		C		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon							P				P	P	P		8.26	B
Dry Cleaning and Laundromat						P					P	P	P	P	8.27	B
Hotel and Motel													P		8.28	R-1
Office											P	P	P	P	8.29	B
Small Appliance Repair Shop											P	P	P	P	8.30	B
Tourist Home	C	C	C	C				C	C						8.31	R-3
Trade Contractor Office and Workshop											P	Z	P	P	8.32	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCSL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.33	A-3, B
Convenience Store						P			C		P	P	P	P	8.34	M
Feed and Seed Sales							C		C			P	P	P	8.35	B, M
Florist									P		P	P	P	P	8.36	B
Flea Market									C			Z	P		8.37	B, M
Garden Center											P	P	P		8.38	M, U
Manufactured or Modular Home Sales													P	P	8.39	B
Restaurant						P					P	P	P	P	8.40	A-2
Retail											P	P	P		8.41	M
Shopping Centers													Z	C	8.42	M
Wholesales											C		P	P	8.43	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.44	S-1
Car Wash or Auto Detailing											P	P	P	P	8.45	B
Commercial Truck Wash												C	P	P	8.46	B
Parking Lot as principle use of lot											P	P	P	P	8.47	S-2
Taxi Service												Z	P	P	8.48	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.49	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.50	M
Vehicle Wrecker Service												Z	Z	P	8.51	S-1
ADULT USES																
Bars / Tavern											C		P		8.52	A-2
Brewery / Winery									C		P		P	P	8.53	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.54	A-2, A-3
Distillery														P	8.55	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.56	B
Pawn Shop											Z		P	P	8.57	B
Sexually Oriented Business														Z	8.58	A-2, M
Tattoo Parlor, Body Piercing													P		8.59	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.60	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P	P					8.61	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.62	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.63	E, R
Colleges, Business & Trade Schools									C				P	P	8.64	B
Funeral Home, accessory crematorium											P	P	P	P	8.65	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.66	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.67	I
Museums and Art Galleries									C		P	P	P		8.68	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.69	A-3, E
Security Training Facility									C						8.70	B
Schools, Elementary, Middle, High												P	P		8.71	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.72	A, R
Airport, Public or Private									C					Z	8.73	A-3, B
Airstrip, Small Private									C			P			8.74	B
Assembly Hall						Z			C		Z		Z	P	8.75	A-4, A-5
Camp or Care Centers									P						8.76	A-3, R-1
Campground, Public and Private									P						8.77	A-3, R-1
Camp, Recreation Day									P						8.78	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.79	A-2, A-3
Golf Driving Range					C	C				P			P		8.80	A-3
Golf Course, including Par 3					C	C				P			P		8.81	U
Marina (fuel supplies)					P	P									8.82	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P		8.83	U
Recreation, Indoor											C	C	P		8.84	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.85	A-5
Recreation, High Impact Outdoor									C		C		P		8.86	
Shooting Range, Indoor									C				P		8.87	A-5
Shooting Range, Outdoor									C				P		8.88	A-5
Zoo, Petting Zoo									C				P		8.89	A-5, U

[illegible]

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	N	P	P	8.100	S
Warehousing and/or Distribution Center									Z				C	P	8.101	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			N		P	8.102	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.103	U
Landfill														C	8.104	U
Mining / Quarry Operation									C					C	8.105	U
Salvage Yard														C	8.106	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.107	S-1
Itinerant Merchant											P	P	P	P	8.108	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.110	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.111	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.113	n/a

FOR REGISTRATION REGISTER OF DEEDS

Judy D. Martin
Moore County, NC

October 12, 2010 03:26:48 PM

Book 3787 Page 591-597

FEE: \$37.00

INSTRUMENT # 2010013689



INSTRUMENT # 2010013689

Prepared By: Hurley E. Thompson, Jr., Carthage, NC 28327

Tax Address: 1305 Hulsey Road Carthage, NC 28327

NO TITLE EXAMINATION

NORTH CAROLINA

WARRANTY DEED

MOORE COUNTY

THIS DEED, made and entered into this the 11th day of October 2010, by and between **Donald E. Gaddy, Edgar B. Shuck, Willard R. Dunlop, Jr., Mark Hickey and Eric Barto as Trustees of New Covenant Fellowship**, (hereafter "GRANTOR"), - TO - **New Covenant Fellowship of Carthage, NC, a North Carolina Non-Profit Corporation**, (hereafter "GRANTEE");

W I T N E S S E T H :

That the Grantor, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has given, granted, bargained, sold and conveyed and by these presents does give, grant, bargain, sell and convey to the Grantee, his heirs, successors and assigns, all of that certain tract or parcel of land situate in Carthage Township, Moore County, North Carolina, more particularly described as follows:

Being all of Tract 3, containing 10.44 acres, more or less, as shown, indicated and designated by that certain plat or map recorded in Plat Cabinet 11, Slide 215, Moore County Registry, Carthage, NC and to which reference is hereby made.

This conveyance is subject to: (i) the Declaration of Restrictions and Covenants, if any, as the same may have been amended; (ii) such matters, provisions and

Hurley


reservations as are shown on the above plat, if any; (iii) the lien for ad valorem taxes or other assessments for the year of closing or conveyance; and (iv) utility easements of record.

TO HAVE AND TO HOLD the aforesaid described land with all privileges and appurtenances thereunto belonging or in anywise appertaining to the said Grantee, his heirs, successors and assigns, in fee simple forever.

And the said Grantor, for himself and his heirs, successors and assigns, covenants with the said Grantee, his heirs, successors and assigns, that he is seized of the said premises in fee and has the right to convey the same in fee simple; that the same is free and clear from all encumbrances; and that he does hereby forever warrant and will forever defend the said title to the same against the claims of all persons whomsoever, except for the exceptions noted herein.

The designation "Grantor" and "Grantee" as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as "Grantor" and "Grantee".

IN WITNESS WHEREOF the said Grantor, has hereunto set his hand, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers by authority of its duly elected Board of Directors, the day and year first above written.


Donald E. Gaddy, Trustee

NORTH CAROLINA

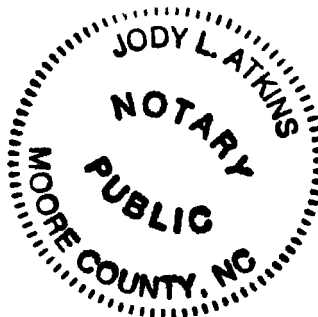
MOORE COUNTY

I, JODY L. ATKINS, a Notary Public of the County and State aforesaid, certify that Donald E. Gaddy, as Trustee of New Covenant Fellowship personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal, this 12th day of October 2010.


NOTARY PUBLIC (SEAL)

My commission expires: 09/30/2013.



IN WITNESS WHEREOF the said Grantor, has hereunto set his hand, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers by authority of its duly elected Board of Directors, the day and year first above written.

Edgar B. Shuck
Edgar B. Shuck, Trustee

NORTH CAROLINA

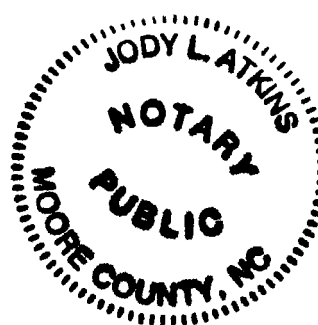
MOORE COUNTY

I, JODY L. ATKINS, a Notary Public of the County and State aforesaid, certify that Edgar B. Shuck, as Trustee of New Covenant Fellowship personally appeared before me this day and acknowledged the execution of the foregoing instrument.

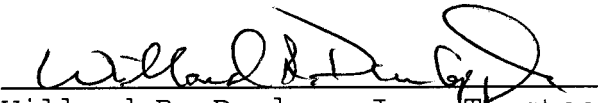
WITNESS my hand and official seal, this 11th day of October 2010.

Jody L Atkins (SEAL)
NOTARY PUBLIC

My commission expires: 09/30/2013.



IN WITNESS WHEREOF the said Grantor, has hereunto set his hand, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers by authority of its duly elected Board of Directors, the day and year first above written.


Willard R. Dunlop, Jr., Trustee

NORTH CAROLINA

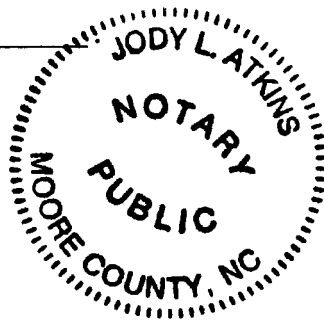
MOORE COUNTY

I, JODY L. ATKINS, a Notary Public of the County and State aforesaid, certify that Willard R. Dunlop, Jr., as Trustee of New Covenant Fellowship personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal, this 11th day of October 2010.


NOTARY PUBLIC (SEAL)

My commission expires 09/30/2013



IN WITNESS WHEREOF the said Grantor, has hereunto set his hand, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers by authority of its duly elected Board of Directors, the day and year first above written.

Mark Hickey
Mark Hickey, Trustee

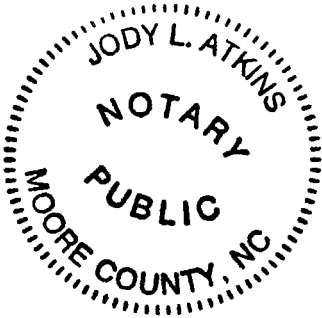
NORTH CAROLINA
MOORE COUNTY

I, JODY L. ATKINS, a Notary Public of the County and State aforesaid, certify that Mark Hickey, as Trustee of New Covenant Fellowship personally appeared before me this day and acknowledged the execution of the foregoing instrument.

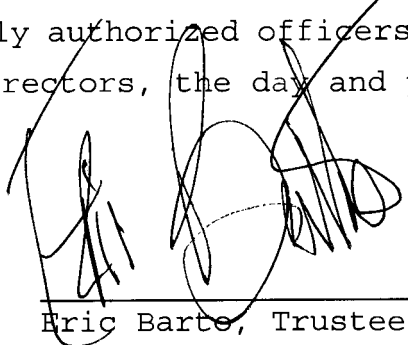
WITNESS my hand and official seal, this 11th day of October 2010.

Jody L. Atkins (SEAL)
NOTARY PUBLIC

My commission expires 09/30/2013.



IN WITNESS WHEREOF the said Grantor, has hereunto set his hand, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers by authority of its duly elected Board of Directors, the day and year first above written.



Eric Barto, Trustee

NORTH CAROLINA

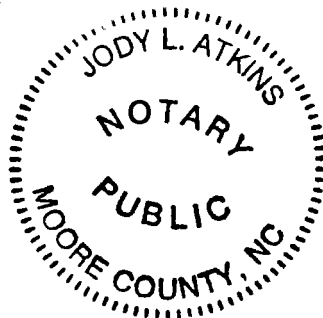
MOORE COUNTY

I, JODY L. ATKINS, a Notary Public of the County and State aforesaid, certify that Eric Barto as Trustee of New Covenant Fellowship personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal, this 11th day of October 2010.

 (SEAL)
NOTARY PUBLIC

My commission expires: 09/30/2013.



Agenda Item: 2
Meeting Date: April 5, 2018

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: March 8, 2018

SUBJECT: General Use Rezoning Request: Residential and Agricultural-40 (RA-40)
to Highway Commercial (B-2)

PRESENTER: Theresa Thompson

REQUEST

Sid Barnett is requesting a general use rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the northwestern portion, being approximately 5.29 acres, of an approximate 9.55 acre parcel, located at 5420 US Hwy 1, Vass, further described as Pee Wee Self Storage, owned by Lorraine Duame Trudeau Trustee, per Deed Book 4614 Page 482, to result in the entire property to be zoned Highway Commercial (B-2).

This case was properly advertised, public hearing sign posted on the property, and all adjacent property owners were notified.

BACKGROUND

- On July 6, 1989 Pee Wee Self Storage received a Conditional Use Permit for Mini-warehouses in order to bring the property into current zoning compliance.
- On January 20, 2004 Pee Wee Self Storage rezoned 42,035 sq. feet of the property from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2).
- On January 6, 2005 Pee Wee Self Storage received a Conditional Use Permit for expansion.
- On September 10, 2009 Pee Wee Self Storage received a Conditional Use Permit for further expansion and a Special Non-Residential Intensity Allocation (SNIA) to increase the maximum built upon area from 24% to 45%.
- Planning staff reached out to the Town of Southern Pines and the Town of Vass to seek input regarding the rezoning due to the subject parcel being within close proximity to the towns. No feedback has been received.

ZONING DISTRICT COMPATIBILITY

The requested rezoning to Business Commercial (B-2) is consistent with the existing uses in the area, including commercial and single family residential. The surrounding area is zoned a mixture of Highway Commercial (B-2), Residential and Agricultural-40 (RA-40), and Rural Equestrian (RE).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The future land use map identifies the property located within the High Density Residential with Mixed Use Classification. The requested zoning to Highway Commercial is compatible with this

Pee Wee Storage – General Use Rezoning – Staff Report

Land Use Classification. The Land Use Plan states that the High Density Residential with Mixed Use Classification is to support a mixture of dwelling types with a density of four to eight dwellings per acre and also include certain non-residential neighborhood supportive uses such as retail, commercial, office, schools, daycares, churches and others similar uses compatible with residential. The Moore County Unified Development Ordinance states the Highway Commercial district is “A district to provide for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to minimize conflicts with surrounding residential areas.”

Land Use Plan Goals: The rezoning request is consistent with several goals as listed in the attached Land Use Plan Consistency Statement, including Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power; and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

MOORE COUNTY FUTURE LAND USE MAP



MUNICIPAL COMPARISON LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt or deny the attached Land Use Plan Consistency Statement authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the general use rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of the northwestern portion, being approximately 5.29 acres, of an approximate 9.55 acre parcel, located at 5420 US Hwy 1, Vass to result in the entire property to be zoned Highway Commercial (B-2).

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Submitted Rezoning Application
- Submitted Site Plan “Pee Wee Storage Expansion”
- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO Chapter 6. Table of Uses
- Deed Book 4614, Page 482

View of subject property from US 1 Hwy



View of subject property



View of the portion of the lot requested to be rezoned



Adjacent property – Iglesia Nueva Vida Church – 5420 US 1 Hwy



Adjacent property – Vintage Variety shop – 5450 US 1 Hwy



Adjacent property – Dundrovin Country Store – 5470 US 1 Hwy



Adjacent property – 164 Pine Lake Ln



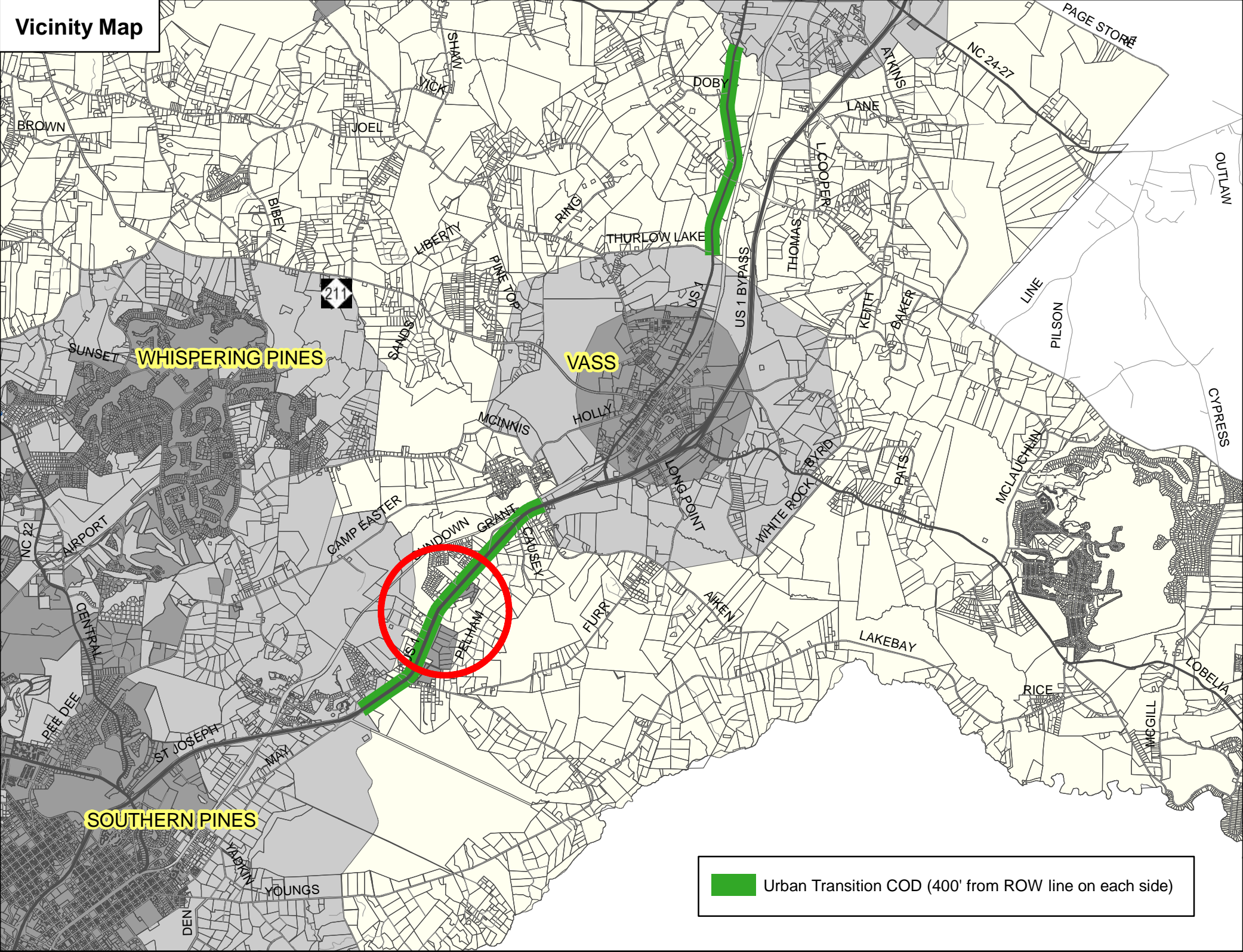
View across US 1 Hwy from subject property – Housing Rental Business – 5395 Us 1 Hwy



**View across US 1 Hwy from subject property – Horse Track Shop and Clothing store – 5485
Us 1 Hwy**

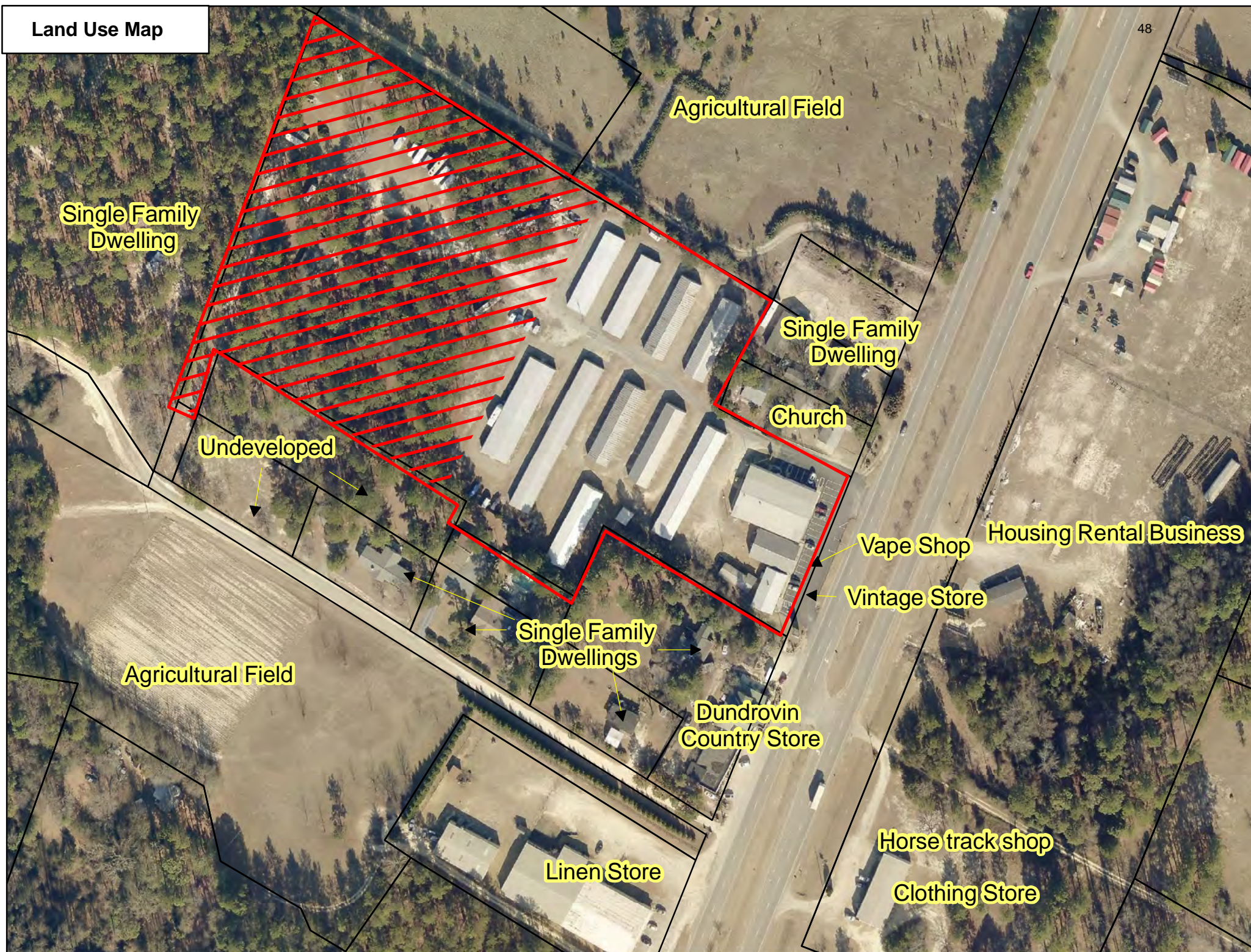


Vicinity Map



Urban Transition COD (400' from ROW line on each side)

Land Use Map



Rezoning Map

ETJ of
SOUTHERN PINES

RA-40

Shaded area
requested to be rezoned
from RA-40 to B-2

RA-40

B-2

49

ARMSTEAD

TRUDEAU

PINE LAKE






















CROSSOVER

US1

US1

TOWN of
VASS

Legend

	B-1		PUD/CUD		RA-40
	B-1-CUD		PUD-H		R-MH
	B-2		RA		RA-CUD
	GC-SL		RA-2		RA-USB
	GC-WL		RA-2-CUD		RE
	I		RA-5		VB
	P-C		RA-20		VB-CUD

App# 20605

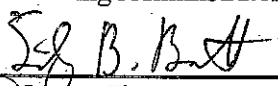
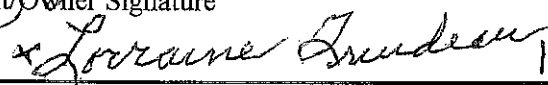
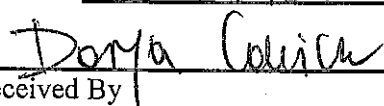


PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905
1048 Carriage Oaks Drive
Carthage, NC 28327
Planning: 910-947-5010
Central Permitting: 910-947-2221
Fax: 910-947-1303
www.moorecountync.gov

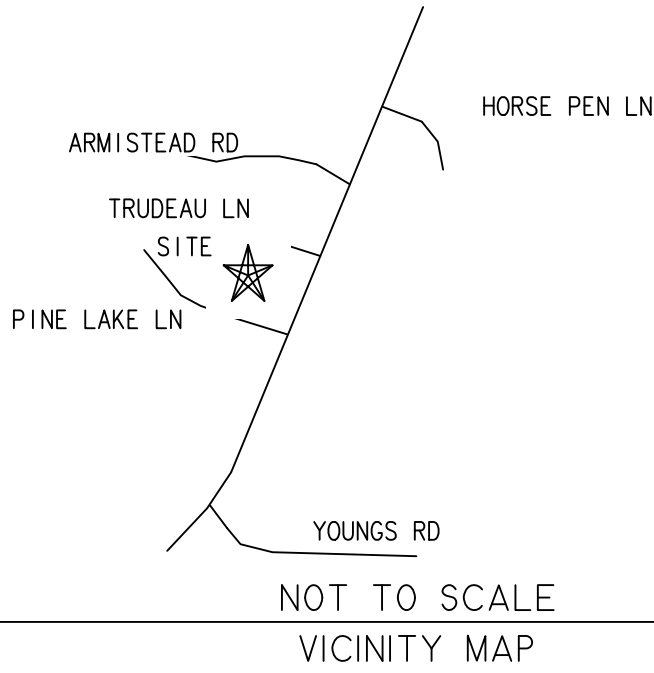
General Use Rezoning Application

Application Date: JANUARY 23, 2018			
Address of Property: 200 5420 HWY 1 VASS, NC 28394			
Applicant: SID BARNETT		Phone: 910-245-1662 (H) 910-725-9090 (C)	
Applicant Address: 313 HUCKLEBERRY LN	City: VASS	St: NE	Zip: 28394
Owner: LORRAINE TRUDEAU		Phone: —	
Owner Address: 66A AZALEA LN.	City: VASS	St: NE	Zip: 28394
Current Zoning District:		Proposed Zoning District:	
Comments: PART OF PROPERTY WAS ZONED RESIDENTIAL + PART COMMERCIAL. RESIDENTIAL HAS ALL TRAILERS REMOVED OR DISMANTLED. WE WOULD LIKE TO HAVE COMPLETE PROPERTY ZONED COMMERCIAL SO WE CAN EXPAND OUR BUSINESS.			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator. The property owner(s) and applicant (if different) are required to sign the application.			
 Applicant/Owner Signature		1/23/18 Date	
 Applicant/Owner Signature		1/23/18 Date	
Office Use Only:			
PAR ID: 00039767			
 Received By		1-29-18 Date	

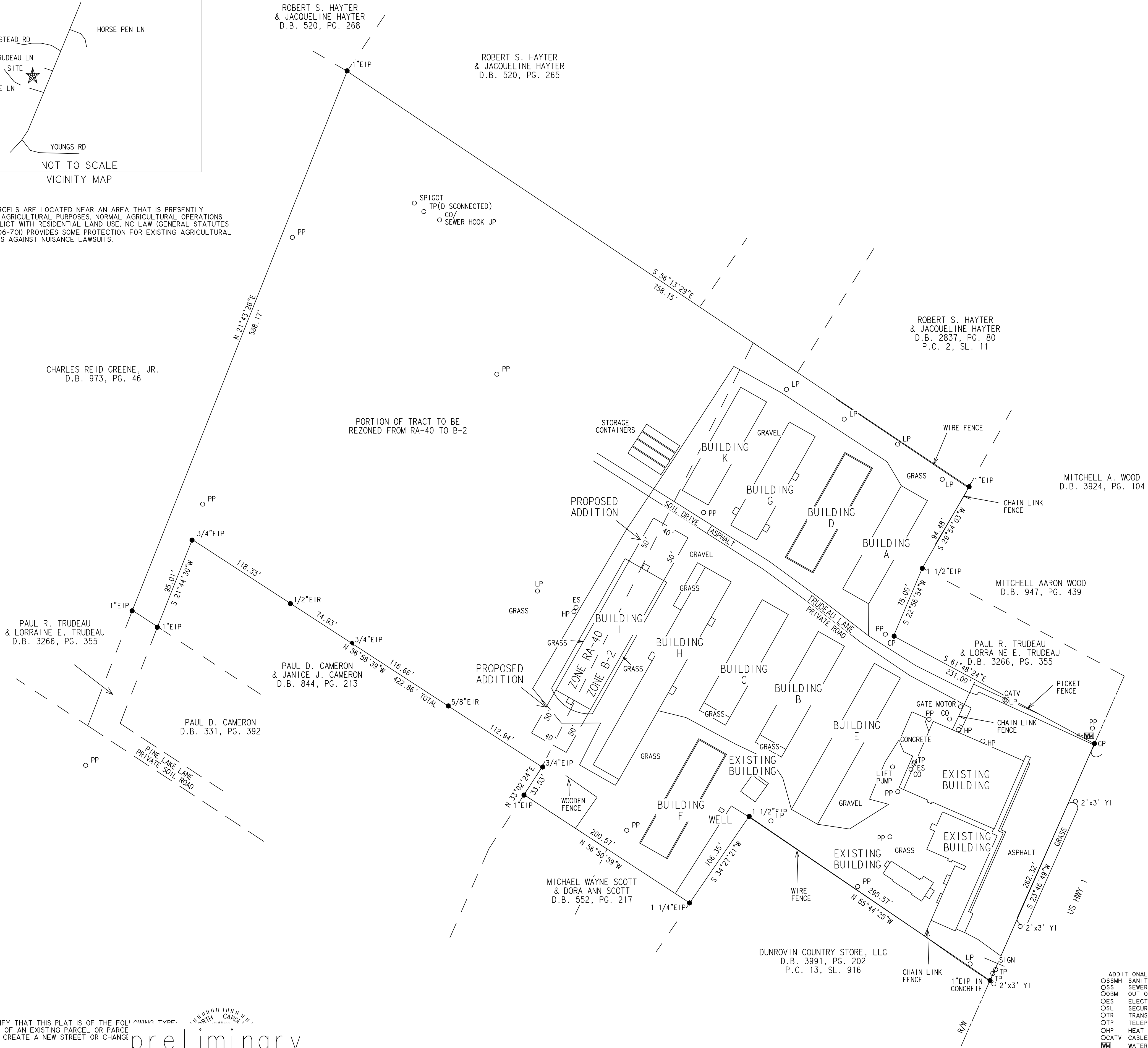
REZONING MAP FOR
PEE WEE STORAGE

MCNEILL TWP., MOORE CO., N.C.
OWNER: LORRAINE DUAME TRUDEAU, TRUSTEE
DEED REFERENCE: D.B. 4614, PG. 482
TAX PIN NUMBER: 9503-I3-I4-7670
PARCEL ID NUMBER: 00039767

REVISIONS:
03/13/18-ADD REZONING STATEMENT



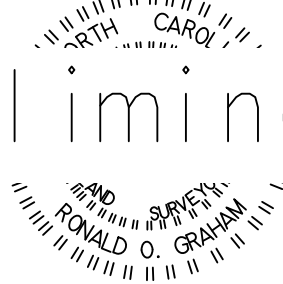
NOTE:
THESE PARCELS ARE LOCATED NEAR AN AREA THAT IS PRESENTLY USED FOR AGRICULTURAL PURPOSES. NORMAL AGRICULTURAL OPERATIONS MAY CONFLICT WITH RESIDENTIAL LAND USE. NC LAW (GENERAL STATUTES SECTION 106-701) PROVIDES SOME PROTECTION FOR EXISTING AGRICULTURAL OPERATIONS AGAINST NUISANCE LAWSUITS.



I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE:
THIS SURVEY IS OF AN EXISTING PARCEL OR PARCE
AND DOES NOT CREATE A NEW STREET OR CHANGE
STREET.

preliminary

PROFESSIONAL LAND SURVEYOR



DEVELOPMENT INFORMATION
EXISTING TOTAL IMPERVIOUS AREA 141816 SQ. FT. 34%
ADDITIONAL IMPERVIOUS AREA IS 1428 SQ. FT.
FOR A TOTAL PROPOSED IMPERVIOUS AREA 143244 SQ. FT. 34%

- ADDITIONAL LEGEND
- OSSMH SANITARY SEWER MANHOLE
 - OSS SEWER STUB
 - OOBM OUT OF BOUNDS MARKER
 - OES ELECTRIC SERVICE
 - OSL SECURITY LIGHT POLE
 - OTR TRANSFORMER
 - OTP TELEPHONE PEDESTAL
 - OHP HEAT PUMP
 - OCAV CABLE TV PEDESTAL
 - WM WATER METER
 - WFH WATER VALVE
 - FDH FIRE HYDRANT
 - CB CATCH BASIN
 - TBC TOP BACK OF CURB
 - TOC TOE OF CURB
 - FOM FIBER OPTICS MARKER

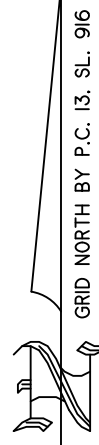
NOTE:
TRACT CONTAINS 9.55 ACRES
AREA BY COORDINATE METHOD
THIS PROPERTY IS IN WSIII BW WATERSHED
RATIO OF PRECISION IS GREATER THAN 1/10000
THIS IS A SURVEY OF AN EXISTING PARCEL OF LAND

- LEGEND
- ER EXISTING IRON REBAR
 - NBS NEW IRON REBAR
 - EP EXISTING IRON PIPE
 - NBN NEW IRON PIPE
 - CP CALCULATED POINT
 - NP NEW IRON PIPE
 - ERS EXISTING RAILROAD SPIKE
 - ECM EXISTING CONCRETE MONUMENT
 - NCM NEW CONCRETE MONUMENT
 - EPK EXISTING P.K. NAIL
 - NPK NEW P.K. NAIL
 - CM CONTROL MONUMENT
 - PP POWER POLE
 - R/W RIGHT-OF-WAY
 - E-E ELECTRIC LINE
 - PL PROPERTY LINE
 - CL CENTERLINE
 - MBS MINIMUM BUILDING SETBACKS

SURVEY FOR:
PEE WEE STORAGE
5420 US HWY 1
VASS, N.C. 28394

LICENSE# C-0359
CENTRAL CAROLINA
SURVEYORS, P.A.

DATE
12/12/17
FILE NO.
12617
SCALE
1" = 50'
PROJECT NO.
12617
COORD FILE: 12617
5316 HIGHWAY 211
P.O. Box 431
West End, North Carolina 27376
Phone: 910-673-0151
© 2017 CENTRAL CAROLINA SURVEYORS, P.A. ALL RIGHTS RESERVED





MOORE COUNTY REZONING REQUEST
Wee Storage 313 Huckleberry Lane, Vass
Applicant: Sid Barnett
PIN: 950313147670
March 22, 2018

Following a review of the rezoning request by the RLUAC staff and Board of Directors for the property listed above, and recognizing that our findings are non-binding on Moore County, the RLUAC Board of Directors finds that:

- The case involves a parcel identified as suitable for **URBAN** development on the 2008 and 2009 JLUS maps, and
- The parcel does not contain any identified military impacts.

RLUAC therefore has no issues or concerns with this request.

Thank you for allowing RLUAC to review this case.

Robert McLaughlin, Chairman

James Dougherty, Executive Director

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals and High Density Residential with Mixed Use Land Use Classification listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7: Support and promote local businesses.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is reasonable and in the public interest because the proposed rezoning will fit the commercial nature of the major highway corridor area as designated on the 2013 Moore County Future Land Use Map.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning Request, to result in of the north western portion, being approximately 5.29 acres of an approximate 9.474 acre parcel, located at 5420 US Hwy 1, Vass, adjacent to US 1 Hwy and Trudeau Ln, being rezoned to Highway Commercial (B-2), as proposed.

Eddie Nobles, Chair
 Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals and High Density Residential with Mixed Use Land Use Classification listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7: Support and promote local businesses.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning Request, to result in of the north western portion, being approximately 5.29 acres of an approximate 9.474 acre parcel, located at 5420 US Hwy 1, Vass, adjacent to US 1 Hwy and Trudeau Ln, being rezoned to Highway Commercial (B-2), as proposed.

Eddie Nobles, Chair
Moore County Planning Board

Date

CHAPTER 6

TABLE OF USES

6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to a permitted individual use by applying the following criteria:
1. The actual or projected characteristics of the activity.
 2. The relative amount of site area or floor space and equipment utilized.
 3. Relative amounts of sales from the activity and customer type for the activity.
 4. The relative number of employees and hours of operation.
 5. Building and site arrangement and likely impact on surrounding properties.
 6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

ACCESSORY USES & ACCESSORY BUILDINGS	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

AGRICULTURAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	“Bona Fide Farm” exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			C	C			C		C						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									C						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility										Z		C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCSL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									C					P	8.20	B
Animal Training Facility, Military									C					P	8.21	B
Kennels, Overnight									C			C	C	P	8.22	B
Pet Day Care, Grooming, Obedience Training									C		P	P	P		8.23	B
Veterinary Clinic							P		C		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Dry Cleaning and Laundromat						P					P	P	P	P	8.27	B
Hotel and Motel													P		8.28	R-1
Office											P	P	P	P	8.29	B
Small Appliance Repair Shop											P	P	P	P	8.30	B
Tourist Home	C	C	C	C				C	C						8.31	R-3
Trade Contractor Office and Workshop											P	Z	P	P	8.32	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCSL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.33	A-3, B
Convenience Store						P			C		P	P	P	P	8.34	M
Feed and Seed Sales							C		C			P	P	P	8.35	B, M
Florist									P		P	P	P	P	8.36	B
Flea Market									C			Z	P		8.37	B, M
Garden Center											P	P	P		8.38	M, U
Manufactured or Modular Home Sales													P	P	8.39	B
Restaurant						P					P	P	P	P	8.40	A-2
Retail											P	P	P		8.41	M
Shopping Centers													Z	C	8.42	M
Wholesales											C		P	P	8.43	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.44	S-1
Car Wash or Auto Detailing											P	P	P	P	8.45	B
Commercial Truck Wash												C	P	P	8.46	B
Parking Lot as principle use of lot											P	P	P	P	8.47	S-2
Taxi Service												Z	P	P	8.48	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.49	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.50	M
Vehicle Wrecker Service												Z	Z	P	8.51	S-1
ADULT USES																
Bars / Tavern											C		P		8.52	A-2
Brewery / Winery									C		P		P	P	8.53	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.54	A-2, A-3
Distillery														P	8.55	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.56	B
Pawn Shop											Z		P	P	8.57	B
Sexually Oriented Business														Z	8.58	A-2, M
Tattoo Parlor, Body Piercing													P		8.59	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.60	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.61	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.62	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.63	E, R
Colleges, Business & Trade Schools									C				P	P	8.64	B
Funeral Home, accessory crematorium											P	P	P	P	8.65	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.66	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.67	I
Museums and Art Galleries									C		P	P	P		8.68	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.69	A-3, E
Security Training Facility									C						8.70	B
Schools, Elementary, Middle, High												P	P		8.71	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.72	A, R
Airport, Public or Private									C					Z	8.73	A-3, B
Airstrip, Small Private									C			P			8.74	B
Assembly Hall						Z			C		Z		Z	P	8.75	A-4, A-5
Camp or Care Centers									P						8.76	A-3, R-1
Campground, Public and Private									P						8.77	A-3, R-1
Camp, Recreation Day									P						8.78	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.79	A-2, A-3
Golf Driving Range					C	C				P			P		8.80	A-3
Golf Course, including Par 3					C	C				P			P		8.81	U
Marina (fuel supplies)					P	P									8.82	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P		8.83	U
Recreation, Indoor											C	C	P		8.84	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.85	A-5
Recreation, High Impact Outdoor									C		C		P		8.86	
Shooting Range, Indoor									C				P		8.87	A-5
Shooting Range, Outdoor									C				P		8.88	A-5
Zoo, Petting Zoo									C				P		8.89	A-5, U

[illegible]

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.100	S
Warehousing and/or Distribution Center									Z				C	P	8.101	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.102	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.103	U
Landfill														C	8.104	U
Mining / Quarry Operation									C					C	8.105	U
Salvage Yard														C	8.106	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.107	S-1
Itinerant Merchant											P	P	P	P	8.108	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.110	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.111	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.113	n/a

FOR REGISTRATION REGISTER OF DEEDS

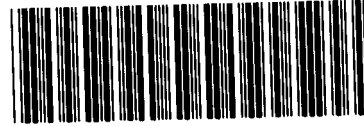
Judy D. Martin
Moore County, NC

March 07, 2016 10:16:29 AM

Book 4614 Page 482-486

FEE: \$26.00

INSTRUMENT # 2016002878



INSTRUMENT # 2016002878

NORTH CAROLINA GENERAL WARRANTY DEED**No Title Examination**Excise Tax: \$ NONETax Lot #: _____ Parcel Identifier #: See attached Exhibit "A"

Verified by: _____ County on the _____ day of _____, 2016.

Mail after recording to: **RAY LAW FIRM PLLC**
345 Hay Street, Fayetteville, NC 28301

Instrument was prepared by: **Robert G. Ray, Attorney at Law**Description for the Index: **See attached Exhibit "A"**

Property described herein as 664 Azalea Drive is the principal residence of the Grantor. The remaining parcels described on attached Exhibit "A" are not the principal residence of the Grantor.

This Deed is made on this the 3rd day of March, 2016.

GRANTOR	GRANTEE
LORRAINE E. TRUDEAU, widow (a/k/a Lorraine Duame Trudeau and Lorraine Evelyn Trudeau) 664 Azalea Drive Vass, NC 28394	LORRAINE DUAME TRUDEAU, Trustee of the Lorraine Duame Trudeau Trust, a Revocable Declaration of Trust, dated March 3, 2016 664 Azalea Drive Vass, NC 28394

The designation Grantor and Grantee used herein includes said parties, their heirs, successors, and assigns, and includes the singular, plural, masculine, feminine or neuter.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all of Grantor's interest in that certain lot or parcel of land situated in **Moore County, North Carolina** and more particularly described as:

See attached Exhibit "A" for complete legal descriptions, which are incorporated herein by reference.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to 2016 ad valorem taxes; and such liens, encumbrances, restrictive covenants and easements as may appear of record.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal on this day and year as first written above.

Lorraine E. Trudeau [SEAL]
LORRAINE E. TRUDEAU

NORTH CAROLINA
CUMBERLAND COUNTY

I, *Susan R. Doyle*, a Notary Public of the County and State aforesaid, certify that **LORRAINE E. TRUDEAU** personally appeared before me this day and acknowledged the due execution of the foregoing instrument in the capacity indicated.

Witness my hand and official stamp or seal, this 3rd day of March, 2016.

Susan R. Doyle
Susan R. Doyle, Notary Public
My Commission Expires: 10-1-2016

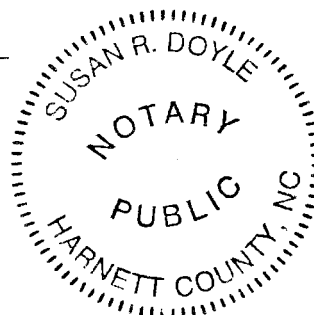


EXHIBIT "A"

PIN 950313241573 – 126 Trudeau Lane

FIRST TRACT: BEGINNING at an iron pipe, oak pointers, southwest corner of Roy Stutts, 14.4 acre tract; running thence S. 56° 30' E. 765.3 feet to an iron stake, a corner of Joel Stutts; thence S. 34° W. 95 feet to an iron stake; thence S. 24° W. 75 feet to an iron stake; thence S. 56° 30' E. 231 feet to an iron stake in the west edge of U.S. Highway No. 1, 30 feet from the center thereof; thence S. 23° 40' W. along said U.S. Highway No. 1, 261.3 feet to an iron stake, a corner of Lee-Moore Oil Company tract (now Vernon Doughty); thence along the center line of a lane N. 56° 30' W. 296 feet to an iron stake, the northwest corner of said Lee-Moore Oil Company tract; thence S. 35° 30' W. 166.7 feet to a stake, the southwest corner of said Lee-Moore Oil Company tract; thence N. 56° 30' W. 634.5 feet to an iron stake with oak pointers, the same being H.D. Jackson's corner; thence N. 21° 25' E. 590 feet to the beginning, containing about 10.64 acres, more or less. Reference is made to Deed Book 350 at Page 403 of the Moore County Registry.

SECOND TRACT: BEGINNING at an iron stake on the Northwest side of U.S. Highway No. 1, said stake being Joel O. Stutts' corner, and is located 30 feet from the center of U.S. Highway No. 1 and 15½ feet from a telephone pole and runs thence with Stutts' line N. 56° 30' W. 217.5 feet to a concrete monument, Joel O. Stutts' and R.A. Stutts' corner, and runs thence (a new line) S. 34° W. 95 feet to an iron stake in the field; and runs thence (a new line) S. 56° 30' E. 231 feet to a stake on the southwest side of the above mentioned highway, and runs thence with the said highway N. 24° E. 75 feet to the beginning, containing 20/100 acres, more or less. Reference is made to Deed Book 188 at Page 197 of the Moore County Registry.

(Book 514, Page 86 of the Moore County Registry)

PIN 858308996537 – Hummingbird Lane

A certain parcel of land in McNeill Township, Moore County, North Carolina, being a portion of the Paul D. Cameron tract recorded in Deed Book 331 at Page 392 and having a boundary described as follows: BEGINNING at an existing iron pipe at a marked oak pointer, a common corner with Trudeau in the Markham line, Deed Book 440 at Page 26, and running thence with the Markham line, S. 21-35 W. 105.00 feet to an existing iron pipe in the southwest side of a soil driveway; thence S. 56-22 E. 30.45 feet to a new iron pipe; thence on a new line, N. 21-35 E. 105.06 feet to a new iron pipe in the old line between Cameron and Trudeau; thence N. 56-30 W. 30-45 feet to the BEGINNING, containing 0.072 acres more or less shown as Parcel "B" on a plat dated April 1, 1992, by Carl A. Samuelson, III.

(Book 844, Page 215 of the Moore County Registry.)

PIN 950313142489 – Pine Lake Lane

BEGINNING at an iron stake on the northwest side of U.S. Highway #1, said stake being Ernest Chevalier and Sara Chevalier's corner; and located 30 feet from the center of U.S. Highway #1; running thence with the west line of the Chevalier property, N. 56-30 W. 231 feet; thence S. 24 W. 75 feet; thence S. 56-30 E. 231 feet to the edge of U.S. Highway #1; thence with the line of U.S. Highway No. 1, N. 24 E. 75 feet to the Beginning, containing 20/100 acre, more or less.

(Book 1088, Page 310 of the Moore County Registry.)

PIN 950313147670 – 5448 US Highway 1

LOT No. 320, SECTION NINE, PHASE SIX, WHISPERING PINES, NORTH CAROLINA, and described as follows:

A certain lot or parcel of land in McNeill Township, Moore County, North Carolina, fronting on the south line of Humming Bird Lane, and on the west line of Dove Lane, and being more fully described as follows:

BEGINNING at an iron pipe, at the intersection of the south line of Humming Bird Lane, and the west line of Dove Lane; running thence from said beginning, as the west line of Dove Lane (60 feet wide) S. 1° 55' E. 90.00 feet to an iron pipe, the point of curvature of the west line of Dove Lane; thence continuing, as the west line of Dove Lane, as it curves to the right, in a southerly direction, having a radius of 1446.35 feet, an arc distance of 90.00 feet to an iron pipe; thence leaving the road, N. 87° 01' W. 173.04 feet to an iron pipe; thence N. 11° 00' E. 185.00 feet to an iron pipe in the south line of Humming Bird Lane (60 feet wide); thence as the south line of Humming Bird lane, as it curves to the left, in an easterly direction, having a radius of 598.93 feet, an arc distance of 135.00 feet to the beginning, and being LOT NO. 320, SECTION NINE, PHASE SIX, WHISPERING PINES, INC., and being a portion of the Whispering Pines, Inc. James M. Pope tract, according to a map attached hereto and by reference incorporated herein.

(Book 414, Page 426 of the Moore County Registry.)

PIN 954414333756 – Azalea Drive

LOT NO. 11B, SECTION TWO in the LAKE SURF SUBDIVISION, in Little River Township, Moore County, North Carolina as is shown on map entitled, "LAKE SURF, SECTION TWO, PROPERTY OF LAKE SURF, INC., LITTLE RIVER TWP., MOORE COUNTY, N.C." dated October 12, 1971, prepared by C.H. Blue, Registered Land Surveyor and recorded in Map Book 9, at Page 31, Moore County Registry, to which map and its recordation reference is hereby made for a more particular description of said lot.

(Book 370, Page 468 of the Moore County Registry.)

PIN 954414333824 – 664 Azalea Drive

LOT NO. 10B, SECTION TWO in the LAKE SURF SUBDIVISION in Little River Township, Moore County, North Carolina, as is shown on map entitled, "LAKE SURF, SECTION TWO, PROPERTY OF LAKE SURF, INC., LITTLE RIVER TWP., MOORE COUNTY, N.C." dated October 12, 1971, prepared by C.H. Blue, Registered Land Surveyor and recorded in Map Book 9, at Page 31, Moore County Registry, to which map and its recordation reference is hereby made for a more particular description of said lot.

(Book 346, Page 149 of the Moore County Registry.)

PIN 953420725025 – 158 Riverbirch Drive

Lot No. 501, Section Seven, Page 8, Woodlake (formerly Lake Surf) as shown on a plat recorded in Plat Cabinet 1, Slide 69-B, of the Moore County Registry.

(Book 4349, Page 389 of the Moore County Registry.)

PIN 954415545421 – 755 Mimosa Drive

BEING all of Lot 148-B, Section of Woodlake Country Club (formerly Lake Surf Subdivision) shown on map or plat entitled "Woodlake Country Club, Property of Woodlake Partners, a Limited Partnership (formerly Lake Surf), Section Two" dated October 12, 1971, and duly recorded in Plat Cabinet 2, Slide 146, Moore County Public Registry; see also Map Book 9, Page 31 for further reference, and being the same property described by Book 2528, page 375, Moore County Registry.

(Book 3591, Page 178 of the Moore County Registry.)

Agenda Item: 3
Meeting Date: April 5, 2018

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: March 8, 2018

SUBJECT: Conditional Rezoning Request: Residential and Agricultural-5 (RA-5)
to Highway Commercial Conditional Zoning (B-2-CZ)

PRESENTER: Theresa Thompson

REQUEST

Rodney Swarms is requesting conditional rezoning from Residential and Agricultural-5 (RA-5) to Highway Commercial Conditional Zoning (B-2-CZ) for commercial, office, and recreational uses of an approximate 13.24 acre parcel, located at 8003 NC 211 Hwy, West End, NC, owned by Baptist Children's Homes of NC, Inc., per Deed Book 2005E, Page 123.

This case was properly advertised, public hearing sign posted on the property, and all adjacent property owners were notified.

BACKGROUND

The existing use on the subject property is a landscaping company (Martin's Landscaping). Adjacent land uses include single family dwellings, an apartment complex (Village View Apartments), undeveloped land, and commercial properties (Westgate Plaza). Rodney Swarms is proposing a commercial park with 4 buildings. The development will accommodate commercial, office, and recreational uses. The complete list of possible uses is attached with the application for conditional rezoning.

Planning staff reached out to the Town of Taylortown and the Village of Pinehurst to seek input regarding the rezoning due to the subject parcel being within close proximity to the towns. Village of Pinehurst planner, Alex Cameron, stated in written correspondence: "With a conditional zoning, any perceived issues (setbacks, design, landscaping, buffering, etc.) could be addressed. The Village's adjacent (across Hwy 211) jurisdiction is currently zoned OP for Office & Professional which "is intended to provide for limited office and retail development as a spatial development between business districts and residential land uses." Staff has not received any feedback from the Town of Taylortown.

COMMUNITY MEETING

The community meeting was conducted at the Carolina Baseball Shack, located at 2066 Juniper Lake Road, West End on March 19, 2018 between 5pm and 7pm. Properties located within 250 feet of the petitioned property were notified by certified return receipt mail, sent on March 9, 2018. Please refer to the attached report for more details.

CONDITIONAL ZONING (CZ)

Conditional rezoning affords a degree of certainty in land use decisions not possible when rezoning to a general category allowing many different uses. A Conditional Zoning District is a floating zoning district created only at the request of a property owner, through the legislative rezoning process. Uses which may be considered for a conditional zoning district are restricted to those uses listed in the corresponding general zoning district. All development shall follow the specific use standards contained in the Moore County Unified Development Ordinance (UDO). Either the property owner or the Board of Commissioners may propose specific conditions (Planning Board may recommend conditions) but only those conditions mutually agreed upon to the owner and Board of Commissioners can be imposed.

ZONING DISTRICT COMPATIBILITY

The requested zoning to Highway Commercial Conditional Zoning (B-2-CZ) with a request for commercial, office, and recreational uses will place compatible uses within the area. The surrounding area is zoned a mixture of Highway Commercial (B-2), Residential and Agricultural-5 (RA-5), Residential and Agricultural-2 (RA-2), commercial and residential zoning of the Town of Taylortown, and residential and office professional zoning of The Village of Pinehurst.

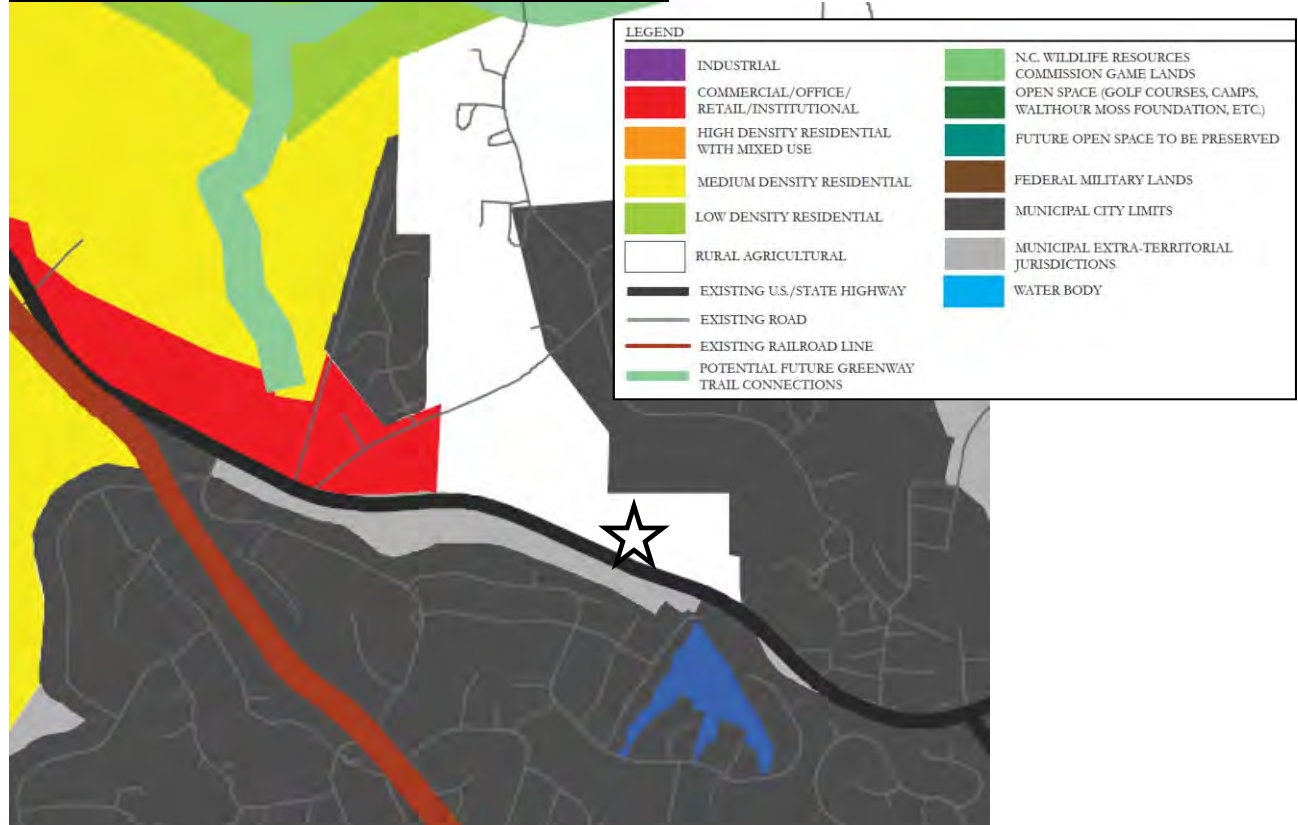
CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The site has a Rural Agricultural Land Use Classification. The requested zoning to Highway Commercial is not in general compatibility with the Rural Agricultural Land Use Classification. The Land Use Plan states the primary use of the Rural Agricultural Land Use Classification is to support rural residential life associated with agricultural uses and other rural activities. The requested rezoning to Highway Commercial Conditional Zoning District (B-2 CZ) is consistent with the adjacent uses in the area, including commercial and single family residential.

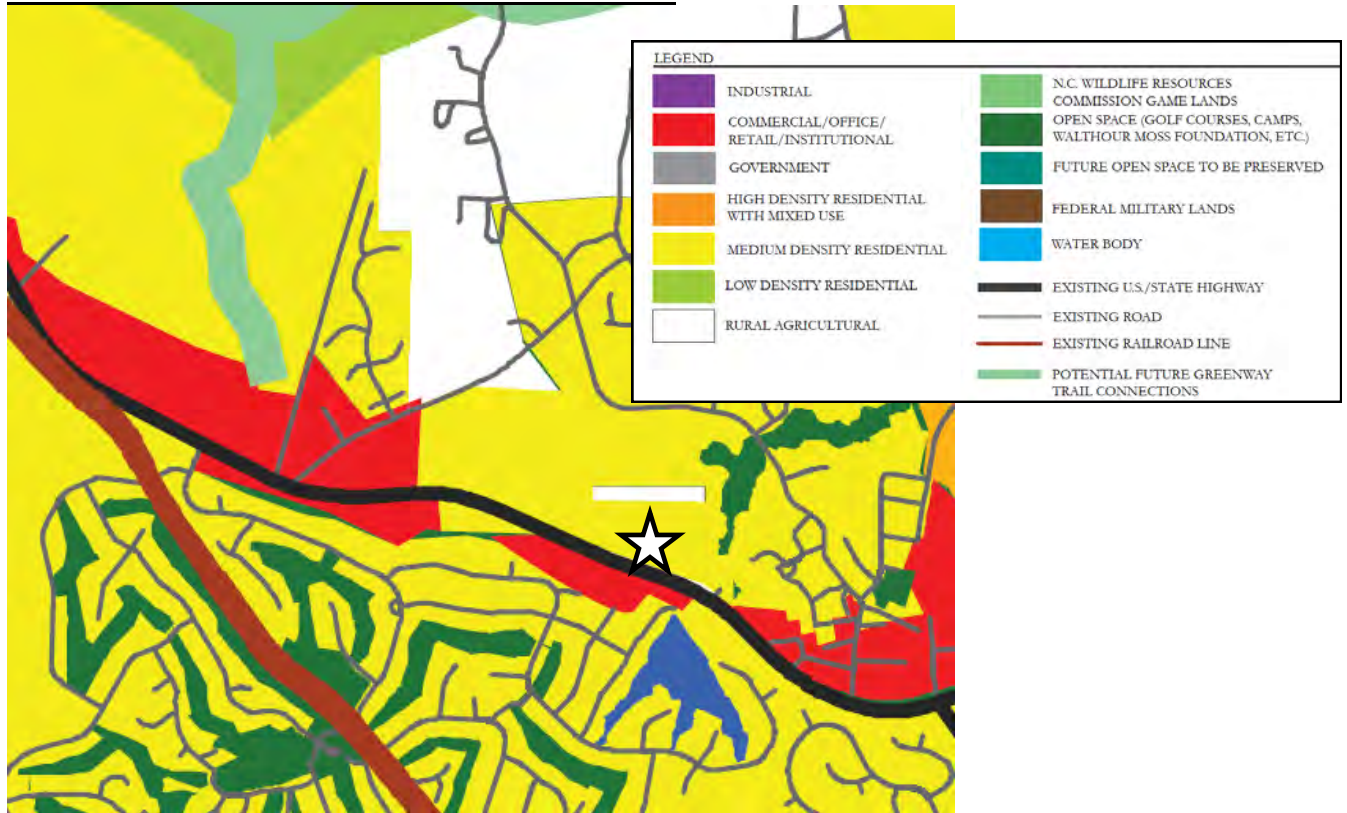
Although this site is located within the Rural Agricultural Land Use Classification, the site is located on a major highway corridor (NC 211 Hwy) and in close proximity to a number of existing businesses. The site is also located near the Town of Taylortown and the Village of Pinehurst, providing practicality, easy access, and reduced travel times to the nearby towns.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including: Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure; Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power. Therefore staff recommends updating the Land Use Map to reclassify this site to Commercial/Office/Retail/Institutional. The Land Use Plan states the Commercial/Office/Retail/Institutional includes shopping/retail uses, dining, entertainment, services, general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc.

MOORE COUNTY FUTURE LAND USE MAP



MUNICIPAL COMPARISON LAND USE MAP



APPLICATION REVIEW COMMENTS

The proposed site plan meets all Unified Development Ordinance requirements.

ADDITIONAL CONDITIONS

Per NCGS 153A-342(B), conditions and site-specific standards shall be limited to those that address the conformance of development and use of the site to County ordinances and officially adopted plans and those that address the impacts reasonably expected to be generated by the development or use of the site.

Applicant has agreed to the following additional conditions:

1. There shall be a 100 feet setback from the highway for all buildings.
2. There shall be a 75 feet buffer of undisturbed vegetation along the highway.
3. There shall be no stadium lighting in the recreational area.
4. All proposed buildings shall be one story.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt or deny the attached Land Use Plan Consistency Statement. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

Motion #2: Make a motion to recommend approval or denial to the Moore County Board of Commissioners the conditional rezoning request, including the additional conditions agreed by the applicant, from Residential and Agricultural-5 (RA-5) to Highway Commercial Conditional District (B-2 CZ) for commercial, office, and recreational uses on an approximate 13.24 acre parcel, located at 8003 NC 211 Hwy, West End, NC.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Submitted Conditional Rezoning Application
- Submitted Site Specific Development Plan
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- Community Meeting Report
- Deed Book 2005E, Page 123

View of subject property from NC 211 Hwy



View of subject property from NC 211 Hwy



Adjacent property – 7985 NC 211 Hwy



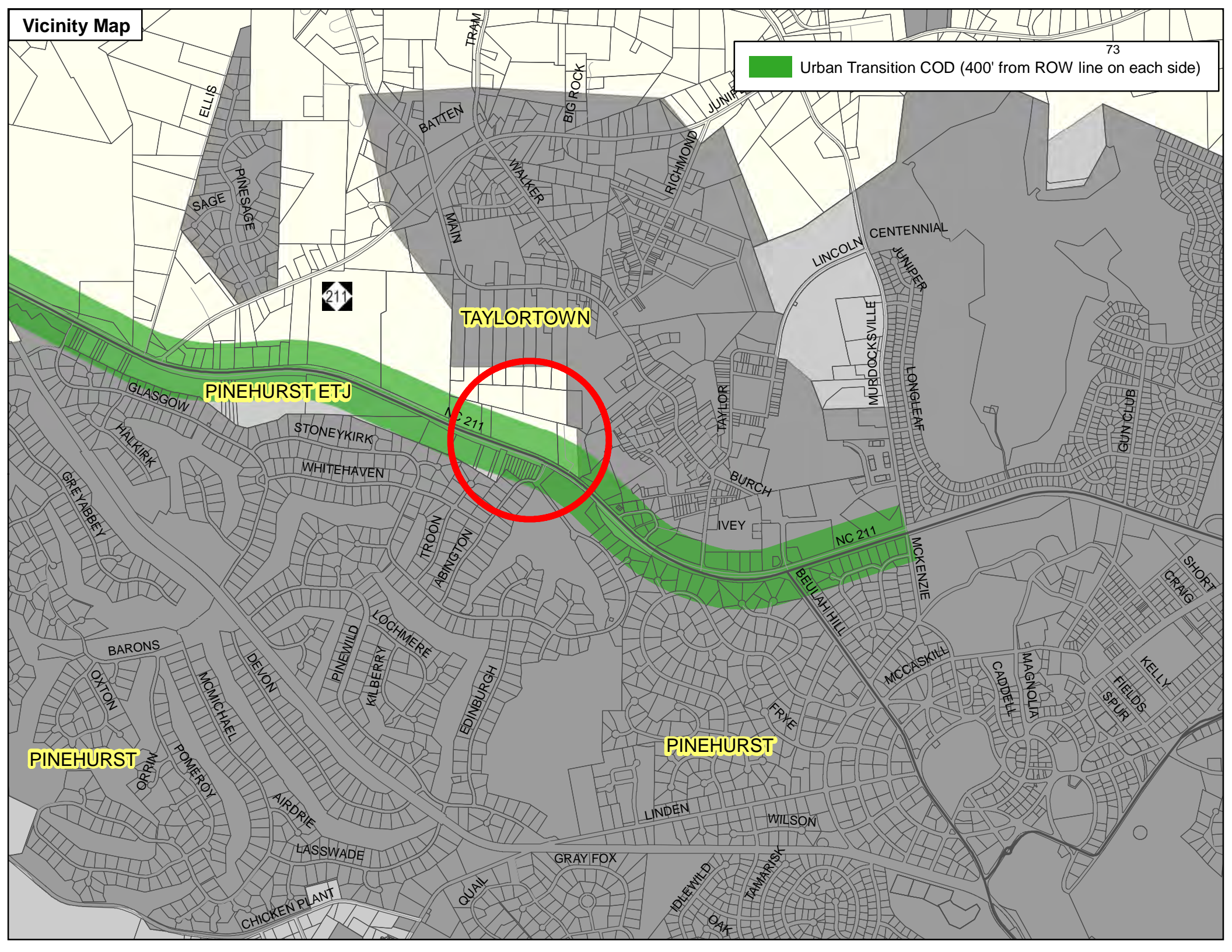
Adjacent property – Village View Apartments on Sweet Ashley Dr.



View across NC 211 Hwy from subject property



Urban Transition COD (400' from ROW line on each side)



[illegible]

Single Family Dwelling

NC 211



CROSSOVER

SWEET ASHLEY

Apartment Complex



TOM MCINTOSH

Single Family Dwellings

EMORY SMITH

GADDY

Undeveloped

CROSSOVER

Undeveloped

ABINGTON

Pinewild Country Club

Pinewild Country Club

Ankle and Foot Clinic

First Health Home Care

Reed's Uniforms

NC 211

WESTGATE

State Farm

Rezoning Map

Legend

B-1	PUD/CUD	RA-40
B-1-CUD	PUD-H	R-MH
B-2	RA	RA-CUD
GC-SL	RA-2	RA-USB
GC-WL	RA-2-CUD	RE
I	RA-5	VB
P-C	RA-20	VB-CUD

RA-5

Shaded area
requested to be rezoned
from RA-5 to B-2-CZ

TAYLORTOWN
zoned Residential

TOM MCINTOSH

SWEET ASHLEY

RA-2

NC 211

NC 211 CROSSOVER

CROSSOVER

ETJ of PINEHURST
zoned Office Professional

TAYLORTOWN
zoned Commercial

PINEHURST
zoned Residential

KIPPEN

WHITEHAVEN

ABINGTON



PLANNING & TRANSPORTATION



P.O. BOX 905
1048 Carriage Oaks Drive
Carthage, NC 28327
Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389
Fax: (910) 947-1303

Conditional Rezoning Application

Application Date:			
Address of Property: NC Highway 211 just west of Sweet Ashley Drive			
Applicant: Rodney Swarms			Phone: 910-639-5555
Applicant Address: 2066 Juniper Lake Road	City: West End	St: NC	Zip: 27376
Owner: Baptist Children's Home of NC, Inc.			Phone:
Owner Address: PO Box 338	City: Thomasville	St: NC	Zip: 27361
Current Zoning District: RA-5	Proposed Zoning District: B-2		
Current Use(s): Landscape Business	Proposed Use(s): Commercial and Office Uses		
<p>Proposed rules, regulations, condition(s) for the proposed district that address the impacts expected to be generated by the development or use of the site:</p> <p>The project will follow all standards of the Moore County development ordinance. The applicant does propose limiting the potential uses on the property. A list of permissible uses, taken from Moore County's standards for the B-2 district is included. Some uses have been removed from the overall list and would not be permitted in the proposed development.</p>			
<p>Statement of reasonableness of the proposed conditional zoning. The statement shall include, but not be limited to the following:</p> <ol style="list-style-type: none"> 1. The conditional rezoning compatibility with the County Land Use Plan and other adopted plans of the County. 2. The conditional rezoning compatibility with the existing land uses on abutting and neighboring tracts. 3. The benefits and detriments of the conditional rezoning for the subject property, neighboring properties and the surrounding community. <p>SEE ATTACHED</p>			

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests or information as designated by the County of Moore Zoning Administrator.

K. Sams

3-5-18

Applicant/Owner Signature

Date

Applicant/Owner Signature

Date

Office Use Only:

PAR ID: 00026090

Chermain Thompson

3/6/18

Received By

Date

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests or information as designated by the County of Moore Zoning Administrator.

Samuel N. Baughart, Sr. Vice Pres. 3/6/2018
Applicant/Owner Signature Date

Applicant/Owner Signature

Date

Office Use Only:

PAR ID: 00026090

Steven M. Thompson
Received By

3/6/18
Date

Statement of reasonableness of the proposed conditional zoning. The statement shall include, but not be limited to the following:

1. The conditional rezoning compatibility with the County Land Use Plan and other adopted plans of the County.

The site currently has a Rural Agricultural Land Use Classification. The requested zoning category is B-2 and is not in general compatibility with the Rural Agricultural Land Use Classification. However, the site is located within close proximity to areas designated as Commercial/Office/Retail/Institutional by the Land Use Plan and along a major transportation corridor, between other areas of commercial development. In addition, properties located across Highway 211, which are zoned by a neighboring municipality, are designated for office and professional uses, which would also be permitted under the proposed zoning.

In addition, the proposed development is consistent with several other goals of the Land Use Plan. Action 1.8.8 states "Support and promote infill development that will optimize the use of existing infrastructure. The proposed development is proposed in an area with adequate utilities and roadway networks to accommodate the land use. Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power. This property is located within the Highway 211 corridor and proposes non-residential uses along the major transportation route.

2. The conditional rezoning compatibility with the existing land uses on abutting and neighboring tracts.

While this site is located within the Rural Agricultural Land Use Classification, the location along the major highway corridor and adjacency to several existing commercial properties is consistent with development in the area. The site is located between commercial businesses at the intersection of Juniper Lake Road and business located in the Town of Taylortown. In addition, across Highway 211 in Pinehurst, the properties are zoned for Office and Professional uses. The site is also easily accessible for residents of Pinehurst and Taylortown, as well as residents traveling to and from the West End and Seven Lakes area. The location lends itself to short travel distances and convenience for residents in the surrounding areas and neighborhoods.

3. The benefits and detriments of the conditional rezoning for the subject property, neighboring properties and the surrounding community.

The proposed conditional rezoning will promote a new commercial business opportunity along a major transportation route, providing convenient access for nearby residents. Roadways in the area are constructed to accommodate this type of development and can easily accommodate the additional traffic. Currently, the use of the property is unattractive and not compatible with the rest of the corridor. The proposed development will enhance the property's appearance and improve the corridor's visual character. Additional convenient service, office and commercial opportunities will be of benefit to surrounding properties.

March 6, 2018

**211 COMMERCIAL PARK
CONDITIONAL REZONING NARRATIVE**

The development of the property described as the 211 Commercial Park in the application exhibits will provide additional opportunity for convenient access to commercial and/or office services near population centers and located along a major transportation corridor just west of Taylortown. Highway 211 was constructed to accommodate large volumes of traffic and provides a direct access corridor between Seven Lakes, West End and other communities to the west and the Pinehurst and Taylortown communities. The proposed property is also located between other commercial development areas along the Highway 211 corridor. Lying between commercial, service and office developments between Taylortown and the Juniper Lake Road, this property is currently zoned as an agricultural use. Properties lying directly across Highway 211, in the Pinehurst jurisdiction, are zoned for office and professional development. Based on the development and zoning of the surrounding properties, location along a major transportation corridor and readily available public utilities, which are adequate to supply this development, the property is more suited for commercial development, as prescribed in the proposed conditional rezoning.

The property is approximately 13.24 acres and located in the WS-III-BW watershed. The property will not exceed 24% impervious surface and will not require a Special Non-residential Intensity Allocation (SNIA). This application requests a conditional rezoning of the property to permit uses consistent with the B-2 (Highway Commercial) zoning classification. As part of this Conditional Rezoning request, some uses permitted in the general B-2 have been removed and would not be permitted within the development. A list of the overall permitted uses has been provided with the application.

Development of this property, as proposed, would include approximately 50,000 sf of mixed Commercial/Office/Retail/Institutional uses consistent with the B-2 zoning. All development would follow the development standards contained in the Moore County Unified Development Ordinance (UDO). This would include standards for setbacks, including the highway corridor overlay district standards, parking areas, impervious surface, landscaping and all other requirements. Development may include uses as listed in the table of permissible uses included with this application.

It is the goal of the property owner to work with the natural features of the site and maintain much of the natural character of the land. The pond located on the property will remain and no development will occur east of this pond. Significant open space will be provided on the property and existing vegetation will be preserved where possible in the buffer areas and open space areas of the property.

The design of the property works to maintain a centralized green space between the buildings and aligned with the main entrance from Highway 211, to give the development an open feel. Adequate parking for the development will be provided around the central open space and behind the buildings.



By placing the parking areas behind the buildings, all parking areas will be screened from Highway 211, creating a higher quality commercial/office park development.

The Conditional Rezoning proposed for the 211 Commercial Park fits into context with the surrounding area in which it is proposed. Adequate infrastructure exists to accommodate the development of the property in the manor described in the application. With the proximity to population centers and location along a major transportation corridor, the development will provide convenient shopping and service destinations for nearby residents. Considering all of these factors, we feel that the Conditional Rezoning request is appropriate and appreciate consideration of the application.

Permitted Uses

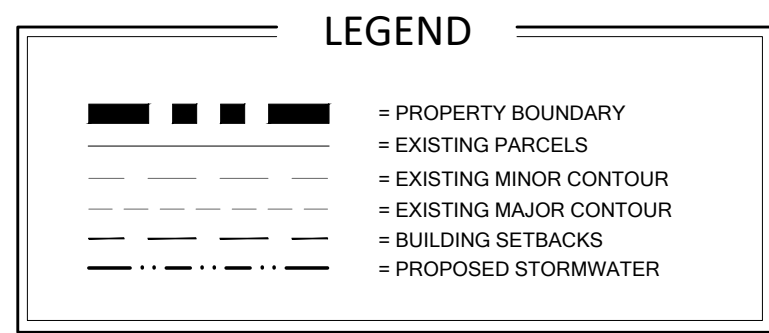
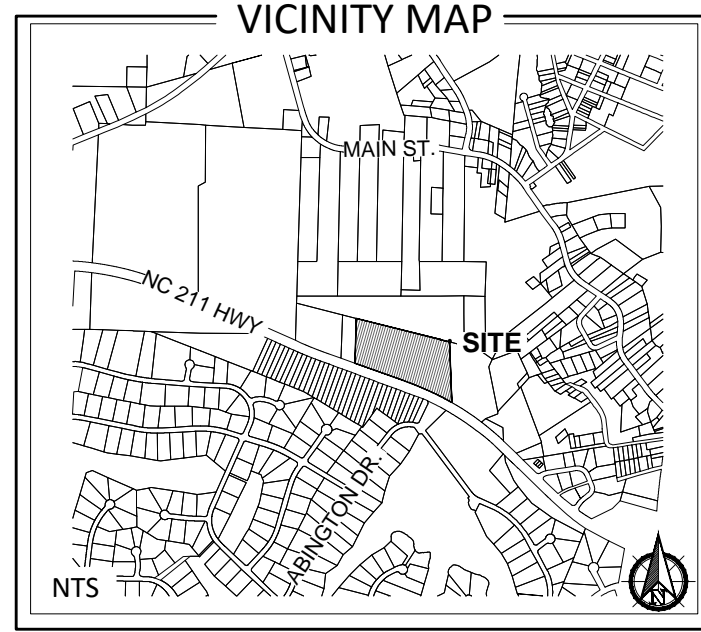
- Accessory Uses
- ~~Accessory, Swimming Pool~~
- Agricultural Uses and Buildings
- Accessory Dwelling Located within Non-Residential Building
- Amateur Radio & Receive-only Antennas
- Auction House
- Automatic Teller Machine (ATM)
- ~~Bars / Tavern~~
- Beauty / Barber Shop / Nail Salon
- Brewery / Winery
- Car Wash or Auto Detailing
- Child Care Facility
- Civic / Social Club, Lodge & Organization
- Colleges, Business & Trade Schools
- Collocation on Existing Wireless Communication Facility
- Commercial Truck Wash
- Construction Office, Temporary
- Contractors Storage Yard & Office
- ~~Convenience Store~~
- ~~Dance Club, Night Club, Billiard~~
- Dry Cleaning and Laundromat
- Feed and Seed Sales
- ~~Flea Market~~
- Florist
- Funeral Home, accessory crematorium
- Garden Center
- ~~Golf Courses, including Par 3~~
- ~~Golf Driving Range~~
- Government Facility
- Group Care Facility
- Hospital
- Hotel and Motel
- Itinerant Merchant
- Land Clearing
- ~~Manufactured or Modular Home Sales~~
- Massage & Bodywork Therapy, Practice, Unlicensed
- Mini-Warehouse (Self-Service)
- Museums and Art Galleries
- Neighborhood Park
- Nursing Home
- Office
- Parking Lot as principle use of lot
- ~~Pawn Shop~~
- Pet Day Care, Grooming, Obedience Training
- Public & Private Utility Facilities
- Real Estate Offices, Temporary
- Recreation, Indoor
- Recreation, Low Impact Outdoor
- Recreation, High Impact Outdoor
- Religious Institutions
- Restaurant
- Retail
- Schools - Elementary, Middle, High
- Shooting Range, Indoor
- ~~Shooting Range, Outdoor~~
- Small Appliance Repair Shop
- Solar Collectors, On-Site Use Only
- Taxi Service
- ~~Tattoo Parlor, Body Piercing~~
- Temporary Events (Special Event)
- Trade Contractor Office & Workshop
- Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV – Sales, Rental, or Service
- Vehicle Service Stations (Gas Stations)
- Veterinary Clinic
- Wholesales
- Yard Sales, Residential & Civic
- ~~Zoo, Petting Zoo~~

Conditional Uses

- Kennels, Overnight
- Warehousing and/or Distribution Center

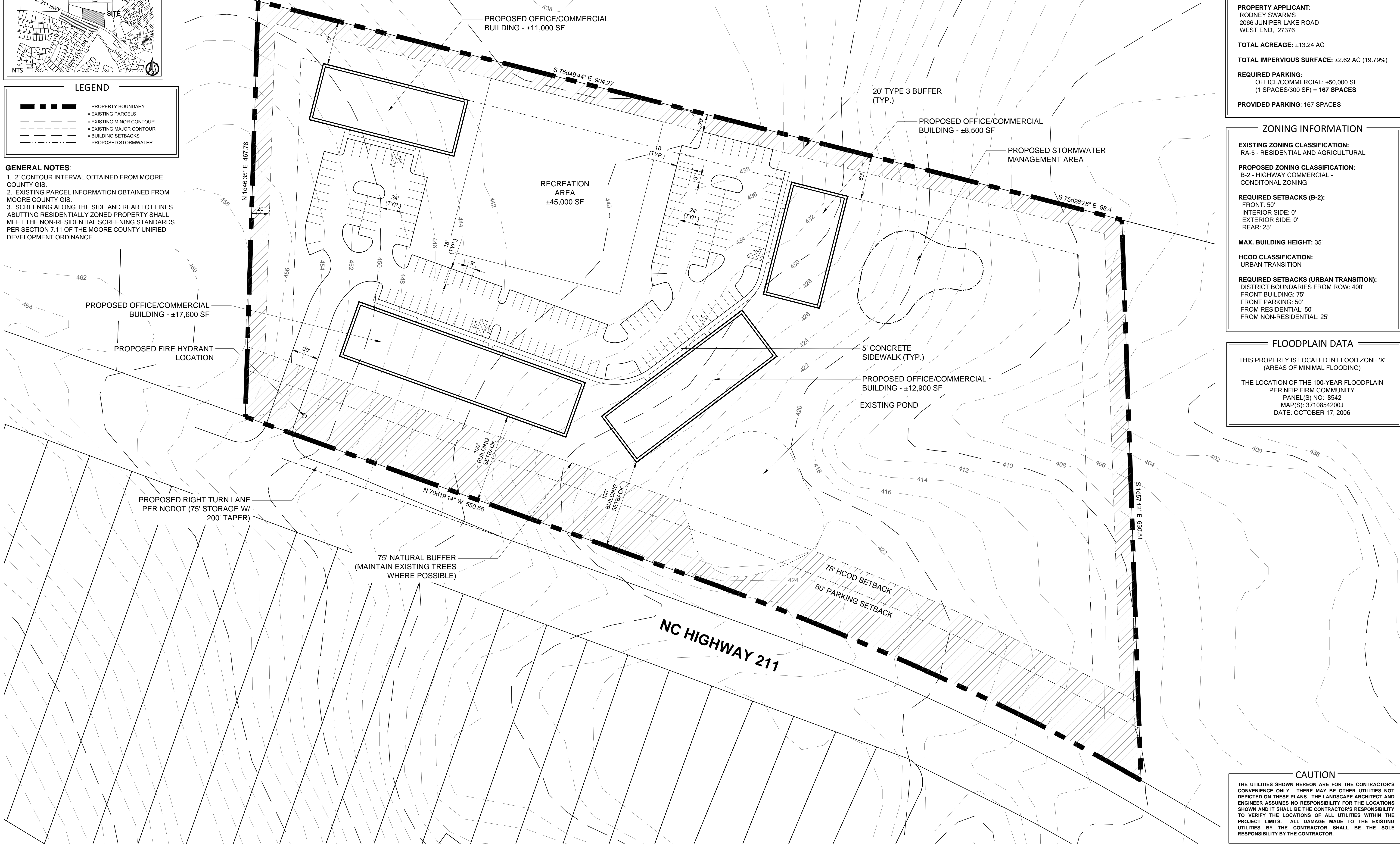
Conditional Zoning Uses

- Assembly Hall
- Boat & RV Storage
- Crematorium Facility
- Shopping Center
- Vehicle Wrecker Service
- Wireless Communication Facility



GENERAL NOTES:

- 2' CONTOUR INTERVAL OBTAINED FROM MOORE COUNTY GIS
- EXISTING PARCEL INFORMATION OBTAINED FROM MOORE COUNTY GIS
- SCREENING ALONG THE SIDE AND REAR LOT LINES ABUTTING RESIDENTIALLY ZONED PROPERTY SHALL MEET THE NON-RESIDENTIAL SCREENING STANDARDS PER SECTION 7.11 OF THE MOORE COUNTY UNIFIED DEVELOPMENT ORDINANCE



PROPERTY INFORMATION

PARCEL ID: 00026090 PIN: 855317211512

PROPERTY OWNER:
BAPTIST CHILDREN'S HOMES
PO BOX 338
THOMASVILLE, NC 27361-0338

PROPERTY APPLICANT:
RODNEY SWARMS
2066 JUNIPER LAKE ROAD
WEST END, 27376

TOTAL ACREAGE: ±13.24 AC

TOTAL IMPERVIOUS SURFACE: ±2.62 AC (19.79%)

REQUIRED PARKING:
OFFICE/COMMERCIAL: ±50,000 SF
(1 SPACES/300 SF) = **167 SPACES**

PROVIDED PARKING: 167 SPACES

ZONING INFORMATION

EXISTING ZONING CLASSIFICATION:
RA-5 - RESIDENTIAL AND AGRICULTURAL

PROPOSED ZONING CLASSIFICATION:
B-2 - HIGHWAY COMMERCIAL -
CONDITIONAL ZONING

REQUIRED SETBACKS (B-2):
FRONT: 50'
INTERIOR SIDE: 0'
EXTERIOR SIDE: 0'
REAR: 25'

MAX. BUILDING HEIGHT: 35'

HCOD CLASSIFICATION:
URBAN TRANSITION

REQUIRED SETBACKS (URBAN TRANSITION):
DISTRICT BOUNDARIES FROM ROW: 400'
FRONT BUILDING: 75'
FRONT PARKING: 50'
FROM RESIDENTIAL: 50'
FROM NON-RESIDENTIAL: 25'

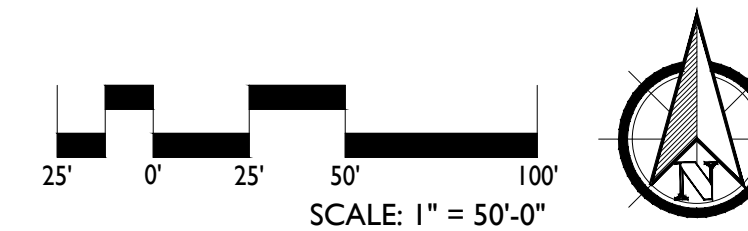
FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
(AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN
PER NFIP FIRM COMMUNITY
PANEL(S) NO: 8542
MAP(S): 3710854200J
DATE: OCTOBER 17, 2006

CAUTION

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT DEPICTED ON THESE PLANS. THE LANDSCAPE ARCHITECT AND ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE PROJECT LIMITS. ALL DAMAGE MADE TO THE EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY BY THE CONTRACTOR.

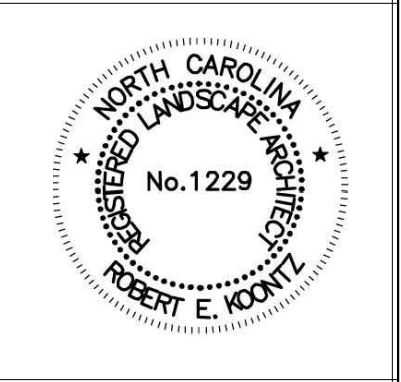


PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

KOONTZJONESDesign

LAND PLANNING | LANDSCAPE ARCHITECTURE

150 SOUTH PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 638-4058
W: www.koontzjonesdesign.com



REVISIONS:

211 COMMERCIAL PARK
WEST END, NORTH CAROLINA

SITE PLAN

DATE: 03.23.2018
DESIGNED BY: REK
DRAWN BY: PJS
CHECKED BY: REK
SCALE: 1" = 50'-0"
PROJECT #: KID1751
SHEET NUMBER#:
L-1.0

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Residential and Agricultural-5 (RA-5) to Highway Commercial (B-2)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.
- Recommendation 1.7: Support and promote local businesses.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Classification

3. Contributing factors in the rezoning approval is in response to managing the demand of commercial growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure. This site is determined to be suitable for development due to its close proximity to nearby towns.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to an existing major highway, other developed commercial properties, and is in close proximity to the Town of Taylortown and the Village of Pinehurst providing practicality, easy access, and reduced travel times to nearby towns.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the Conditional Rezoning request from Residential and Agricultural-5 (RA-5) to Highway Commercial Conditional District (B-2 CZ) of an approximate +/- 13.24 acre parcel, located at 8003 NC 211 Hwy and owned by Baptist Children's Homes of NC, Inc., per Deed Book 2005E, Page 123.

Eddie Nobles, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
 General Use Rezoning Request
 Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.
- Recommendation 1.7: Support and promote local businesses.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the Conditional Rezoning request from Residential and Agricultural-5 (RA-5) to Highway Commercial Conditional District (B-2 CZ) of an approximate +/- 13.24 acre parcel, located at 8003 NC 211 Hwy and owned by Baptist Children's Homes of NC, Inc., per Deed Book 2005E, Page 123.

Eddie Nobles, Chair

Moore County Planning Board

Date

**COMMUNITY MEETING REPORT
MONDAY, MARCH 19, 2018 5-7PM
CAROLINA BASEBALL SHACK - 2066 JUNIPER LAKE RD, WEST END**

Community Members Present:

See attached sign-in sheet

Applicant's Representative Present:Bob Koontz, Jeremy Sparrow,
Rodney Swarms**Staff Present:**

Theresa Thompson, Darya Cowick

Bob Koontz (Planner with Koontz Jones Design) and Rodney Swarms (the applicant) opened the meeting and presented the proposed site plan (attached). Bob stated that the centerpiece of the project is the open recreational area that might include practice field for baseball, softball, and other sports, which need additional space. All parking will be behind the buildings. Rodney explained that the Plumbing Knight's business will be moving there but will not be expanding.

A summary of the questions/issues and responses discussed include the following:

Question – Where is the turn around on 211?

Response – Adjacent to the property.

Question – Which building will be used by Rodney's business "The Plumbing Knight"?

Response – The Plumbing Knight may use the building closest to the main road.

Question – What is the total sq. footage of all buildings?

Response – 50,000 sq. feet total. Less than 24% total built upon area so there will be a lot of open space.

Question – Where will the entrance be located and how far will the entrance be from the crossover?

Response – NCDOT will determine if a deceleration lane is needed; exact location of driveway to be determined.

Question – Does the Fire Marshal require two different entrances – for ingress and egress?

Response – The Fire Marshal approved just one entrance.

Issue – A few people were concerned about the lighting, especially the lighting in the recreational area.

Response – All lighting will be behind the buildings and the recreational area will not have stadium lighting.

Question – What is the current zoning and what is the proposed zoning district? Several expressed concerned about too many permitted uses in the new zoning district and what can be built in the future.

Response – We are proposing a conditional rezoning that is site specific and have provided a list with permitted uses for this district that excludes certain types of uses, such as grocery store, ABC store, shooting ranges, etc. All retail will be service oriented. Artist's studio would be ok. No residential uses on the property.

Question – What will the buildings look like - size, stories, height, materials? People were concerned that these will be “quick” buildings and will not look aesthetically pleasing.

Response – The buildings will be one story and will not exceed the maximum height for the district, which is 35 feet. How they will look and the materials used are yet to be determined.

Question – How many vehicles does The Plumbing Knight have?

Response - 19 trucks.

Question – Has Rodney purchased the property and who owns it?

Response – Rodney purchase of the property is contingent on the rezoning approval.

Question – Who is the adjacent property owner?

Response - Josh Hewitt Graham, a relative of the adjoining property owner, and resides in the adjacent dwelling, was present and stated that he endorses the project and that it will look better than what is currently on the property.

Question – How many parking spots will be on the site?

Response – 167 spaces.

Issue – Concerns regarding foot traffic for the plumbing company and for the baseball practice.

Response – The plumbing company has virtually no walking traffic and the baseball practices will have minimum traffic, mostly from parents dropping their kids off.

Question – Who will use the baseball practice area?

Response – It will be for any child but it is not a walk-in facility, it is by appointment only.

Question – Will there be any phasing of the project?

Response – That has not been determined yet but the large building closest to the road may be first.

Question – When will development start and does the county have any rules for that?

Response – A start date is not determined yet.

Question – What is the size of the parcel, proposed buffers, proposed trees, and where are the wetlands located?

Response – The parcel is approximately 13 acres. There will be a 75 feet vegetation buffer along the highway, and that the wetland located to the east on the property will remain undeveloped. The idea is to keep as much of the existing vegetation as possible.

Question – What are the land uses in the area?

Response – There is an apartment complex on the adjoining parcel and there are a number of businesses nearby in Taylortown and on NC Hwy 211 towards Seven Lakes.

Issue – People were concerned that this rezoning might be followed by additional rezonings along NC Hwy 211.

Response – NC Hwy 211 is a major highway corridor and more businesses will appear there in the near future. Across the highway there are several properties zoned Office Professional, located in Pinehurst's jurisdiction, that allow for businesses as well. Also by restricting the uses and conditioning the property Rodney is able to provide a clearer picture of future development specific to the site.

Question – What is on the property right now, who owns it, and where is he moving to?

Response – The business located on the property is Martin's Landscaping owned by Ben Martin. He will be moving but the location is not known at this time.

List of those notified of the Community Meeting (certified mailings to properties located within 250 feet of petitioned property):

NEW COVENANT FELLOWSHIP	GRAHAM, HARRY WING (LE)
ARNETT, JANE	COTTINGHAM, SIDNEY L EXECUTOR
RAS PROPERTIES LLC	BARRETT, THYRONE V
SHAFFER, LEONARD B &	SEXTON, PHYLLIS D
MCSHANE, FRANK C	BAPTIST CHILDREN'S HOMES
BARRETT, ULYSSES JR	HALL, JAMES J
PINEWILD PROJECT LIMITED PTNS	SHAFFER LIVING TRUST
PINEWILD PROPERTY OWNERS ASSOC	GOULD, HERMINE D

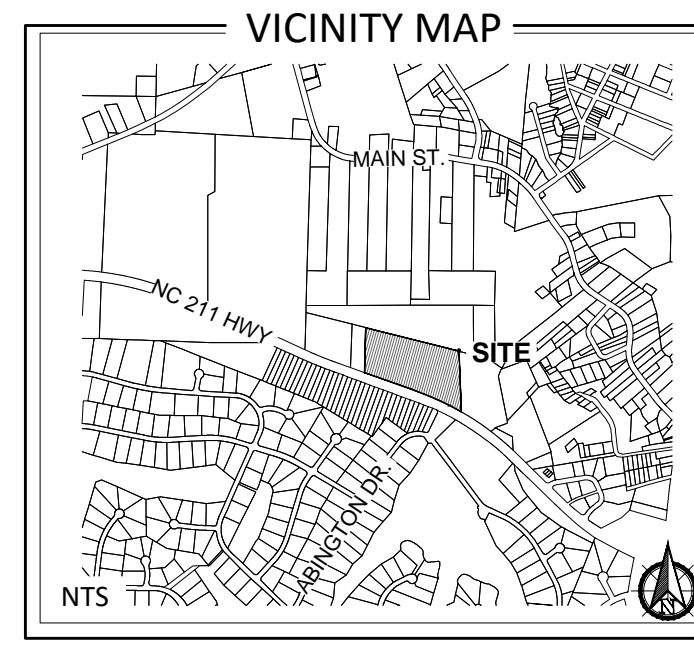
Attachments:

- Site plan presented at the Community meeting
- Community meeting sign-in sheet

Submitted by,

Darya Cowick

Planner – Moore County Planning and Transportation



211 COMMERCIAL PARK

ILLUSTRATIVE PLAN

WEST END, NC

MARCH 19, 2018



PROPERTY INFORMATION

PARCEL ID: 00026090 **PIN:** 855317211512

PROPERTY OWNER:
BAPTIST CHILDREN'S HOMES
PO BOX 338
THOMASVILLE, NC 27361-0338

PROPERTY APPLICANT:
RODNEY SWARMS
2066 JUNIPER LAKE ROAD
WEST END, 27376

TOTAL ACREAGE: ±13.24 AC

TOTAL IMPERVIOUS SURFACE: ±2.66 AC (20.09%)

REQUIRED PARKING:
OFFICE/COMMERCIAL: ±50,000 SF
(1 SPACES/300 SF) = 167 SPACES

PROVIDED PARKING: 167 SPACES

ZONING INFORMATION

EXISTING ZONING CLASSIFICATION:
RA-5 - RESIDENTIAL AND AGRICULTURAL

PROPOSED ZONING CLASSIFICATION:
B-2 - HIGHWAY COMMERCIAL -
CONDITONAL ZONING

REQUIRED SETBACKS (B-2):
FRONT: 50'
INTERIOR SIDE: 0'
EXTERIOR SIDE: 0'
REAR: 25'

MAX. BUILDING HEIGHT: 35'

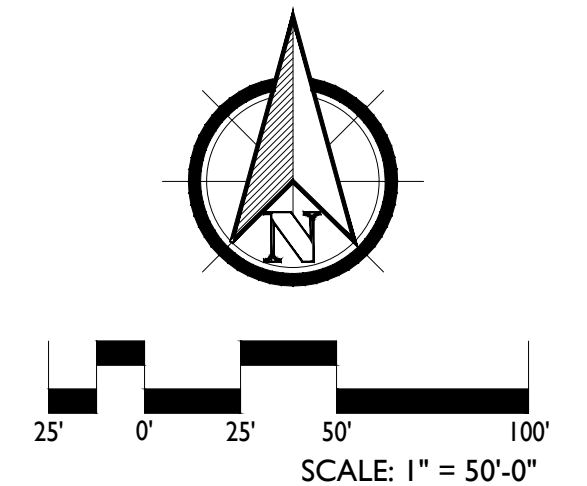
HCOD CLASSIFICATION:
URBAN TRANSITION

REQUIRED SETBACKS (URBAN TRANSITION):
DISTRICT BOUNDARIES FROM ROW: 400'
FRONT BUILDING: 75'
FRONT PARKING: 50'
FROM RESIDENTIAL: 50'
FROM NON-RESIDENTIAL: 25'

FLOODPLAIN DATA

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
(AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN
PER NFIP FIRM COMMUNITY
MAP(S) NO: 8542
MAP(S): 3710854200J
DATE: OCTOBER 17, 2006



211 Commercial Park

Neighborhood Meeting

Sign-In Sheet 3/19/18

Name	Address	Email Address
Jeremi Sparrow	621 7 LAKES N WEST END	jsparrow@koontzjones.com
Bob Koontz		bkoontz@koontzjones.com
Ronny Swarins	PO Box 5864	theplumbingknight@me.com
Amy Brewer	PO Box 5864	pki-amy@nc.rr.com
Tom Carol Palmquist	81 Stony Kirk	carolanne.palmquist@gmail.com
JEFF & JULIE GILBERT	61 PINEMILD DR	jg1942@aol.com
Jerry Marshall	100 Stony Kirk Dr	jerandKath@aol.com
Theresa Thompson	Moore County Planning	tthompson3@moorecountync.gov
Darya Cowick	MC Planning	dcowick@moorecountync.gov
ALLEN + SUE FARSETT	24 HALLKIRK DR	AFARSETT@nc.rr.com
Catherine & Charles Novitsky	44 McMichael Dr.	PAT NOVITZ@nc.rr.com
ROBERT BRAMWELL	P.O. Box 4150 PINEHURST	RBRAMWELL@NC.RR.COM
Helen & Allen Simms	60 McMichael Pinehurst	hesimms@embarqmail.com
Sean Weller	23 McMichael	retweld@yahoo.com
BEN HILL	61 McMICHAEL	PINEWILDC@nc.rr.com
Leonard & Dolores Sly	71 Glasgow Dr	
Amy Damone	PPOA Manager	amy@casnc.com
Sandy Gernhart	54 Grey Abbey Dr	sandyjngtong@aol.com
Harry Graham	P.O. Box 173	Aug 21 11 W

Name	Address	Email Address
WADE MURDOCK	10 ABINGTON DR	WMURDOCK3@NET.PC.COM
JIM KEEFER	86 PINEWILD DR	jgkeffer@yahoo.com
JACK KAPALA	68 Kilbride Dr.	jack.kapala@gmail.com
JUDITH KELLEY	75 Glasgow	JBKelley@ncrr.com
JOHN FANNELL	21 Carr Abbey Dr	J.Fannell@ATT.NET
BAD GRONEN	15 Abington Dr.	
CHARLES & BAEB LANNOM	26 Roslin Ct.	bakcr/@twc.com
JANE WALDEMAN	14 Edinburgh Lane	owegookio@gmail.com
OLYMPIA BARRETT	Box 1503 Pinehurst	
CRAIG PETER HELGESSEN	28 Ashbury Dr	phegesen@ncrr.com
CHUCK WELSH	54 George Dr	
BOB COATES	21 EDINBURGH LAKE	RCOATES777@GMAIL.COM

NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES
STATE CENTER FOR HEALTH STATISTICS — N. C. VITAL RECORDS

CERTIFICATE OF DEATH

457
ORIGINAL

Registration District No. 063-61

Local No. _____

DECEDENT

PARENTS

INFORMANT

CAUSE OF DEATH

CERTIFIER

DISPOSITION

DHHS 1872
(Revised 2/00
Review 2/02)
VITAL RECORDS

DECEDENT'S NAME (First, Middle, Last) 1. Arthur Thomas Robertson, Jr.		SEX 2. Male	DATE OF DEATH (Month, Day, Year) 3. May 19, 2004
SOCIAL SECURITY NUMBER 4. 243-30-4346	AGE—Last Birthday (Years) 5. 74	DATE OF BIRTH (Month, Day, Year) 6. Sept. 1, 1929	BIRTHPLACE (County and State or Foreign Country) 7. Vance Co., NC
WAS DECEDENT EVER IN U.S. ARMED FORCES? (Yes or No) 8. NO			
PLACE OF DEATH (Check only one) HOSPITAL: <input type="checkbox"/> Inpatient <input type="checkbox"/> EP/Outpatient <input type="checkbox"/> DOA OTHER: <input checked="" type="checkbox"/> Nursing Home <input type="checkbox"/> Residence <input type="checkbox"/> Other (Specify) _____			
FACILITY NAME (If not institution, give street and number) 9b. Pinehurst Health and Rehab		CITY, TOWN, OR LOCATION OF DEATH 9c. Pinehurst	COUNTY OF DEATH 9d. Moore
MARITAL STATUS—Married, Never Married, Widowed, Divorced (Specify) 10. Widowed	SURVIVING SPOUSE (If wife, give maiden name) 11.	DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.) 12a. Minister	KIND OF BUSINESS/INDUSTRY 12b. Church
RESIDENCE—STATE 13a. N. Carolina	COUNTY 13b. Moore	CITY, TOWN, OR LOCATION 13c. Pinehurst	STREET AND NUMBER 13d. 8003 Hwy 211
INSIDE CITY LIMITS? (Yes or No) 13a. No	ZIP CODE 13d. 28374	Was Decedent of Hispanic Origin? (Specify Yes or No. If yes, specify Cuban, Mexican, Puerto Rican, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Specify) _____	RACE—American Indian, Black, White, Etc. (Specify) 15. White
FATHER'S NAME (First, Middle, Last) 17. Arthur Thomas Robertson		MOTHER'S NAME (First, Middle, Maiden Surname) 18. Maggie Lee Ayscue	
INFORMANT'S NAME (Type/Print) 19a. Arthur T. Robertson, III		MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code) 19b. 80 Brookhaven Pl., Henderson, NC 27537	DATE AMENDED 19c.
Part I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock or heart failure. If appropriate, enter tobacco, alcohol, or drug use. List only one cause on each line. (PRINT or TYPE) IMMEDIATE CAUSE (Final disease or condition resulting in death) a. Pancreatic disease DUE TO (OR AS A CONSEQUENCE OF): b. _____ DUE TO (OR AS A CONSEQUENCE OF): c. _____ DUE TO (OR AS A CONSEQUENCE OF): d. _____ DUE TO (OR AS A CONSEQUENCE OF):			Approximate interval Between Onset and Death _____
Part II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I, such as tobacco, alcohol, or drug use; diabetes, etc. 20b. 10 years of high cholesterol			
AUTOPSY? (Yes or No) 21a. NO		If yes, were findings considered in determining cause of death? 21b.	Was case referred to Medical Examiner? (Yes or No) 21c. NO
TIME OF DEATH 22. 7:25 a.m.		NOTICE: STATE LAW REQUIRES THAT ALL DEATHS DUE TO TRAUMA, ACCIDENT, HOMICIDE, SUICIDE, OR UNDER SUSPICIOUS, UNUSUAL OR UNNATURAL CIRCUMSTANCES BE REPORTED TO, AND CERTIFIED BY A MEDICAL EXAMINER ON A MEDICAL EXAMINER'S CERTIFICATE OF DEATH. ANY DEATH FALLING INTO THESE CATEGORIES IS WITHIN THE MEDICAL EXAMINER'S JURISDICTION REGARDLESS OF THE LENGTH OF SURVIVAL FOLLOWING THE UNDERLYING INJURY.	
SIGNATURE AND TITLE OF CERTIFIER 23a. [Signature]		DATE SIGNED (Month, Day, Year) 23b. 5-20-04	
NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (ITEM 20) (Type or Print) 24. W. Ward Patrick, M.D. Pinehurst, NC 28374			
METHOD OF DISPOSITION <input type="checkbox"/> Burial <input checked="" type="checkbox"/> Cremation <input type="checkbox"/> Removal 25a. [Donation] [Other]		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) 25b. Pines Cremation Service	LOCATION — City or Town, State, Zip Code 25c. Southern Pines, NC 28387
NAME AND ADDRESS OF FUNERAL HOME 26a. Powell Funeral Home P. O. Box 246 Southern Pines, NC 28388		SIGNATURE OF FUNERAL DIRECTOR 26b. [Signature]	LICENSE NUMBER 26c. 1082
REGISTRAR'S SIGNATURE 27. Robert R. Wittmann/mcm		DATE FILED (Month, Day, Year) 28. 5-20-2004	SIGNATURE OF EMBALMER 29. (not embalmed)
			LICENSE NUMBER 29c.

NOT FOR OFFICIAL USE

2005-08-134⁹⁵

STATE OF NORTH CAROLINA

File No.
05-E123In The General Court Of Justice
Superior Court Division
Before The Clerk

Moore County

IN THE MATTER OF THE ESTATE OF:

Name Of Decedent

Arthur Thomas Robertson, Jr.

Date Of Purported Will

02/03/1999

Date(s) Of Codicil(s)

CERTIFICATE OF PROBATE

G.S. 31-17

A paper-writing dated as indicated above, purporting to be the Last Will and Testament or codicil(s) thereto of the above named decedent has been exhibited before me. Sufficient proof of the due execution thereof has been taken in the self-proving paper-writing or as set forth in the accompanying affidavits which are incorporated and made a part hereof.

It is adjudged that the paper-writing and every part thereof is the Last Will and Testament or codicil(s) thereto of the decedent, and the same is ordered admitted to probate.

Date	February 22, 2005
Signature	Deane J. Isom
<input checked="" type="checkbox"/> Assistant CSC	<input type="checkbox"/> Clerk Of Superior Court

Last Will and Testament

of

ARTHUR THOMAS ROBERTSON, JR.

I, ARTHUR THOMAS ROBERTSON, JR., a resident of Pinehurst, in Moore County, North Carolina, being of full age and of sound mind and memory, do make, publish, and declare this to be my Last Will and Testament, hereby revoking every testamentary disposition which I have previously made.

ITEM ONE

As of the date of execution of this Will, I declare that I am unmarried, and that I have three children.

ITEM TWO

Wherever appropriate, words used herein in the singular may include the plural or the plural may be read in the singular; the masculine may be read in the feminine; the feminine may be read in the masculine; and the masculine or feminine may include the neuter and the neuter may include the masculine or feminine.

ITEM THREE

I direct that all my legal debts, funeral expenses, including the cost of a suitable monument, and the cost of the administration of my estate, be paid out of my estate as soon as practicable after my death.

ITEM FOUR

I direct that all estate, inheritance, transfer, succession, legacy and other similar taxes, together with any interest or penalty thereon, which shall become payable upon or by reason of my death with respect to any property passing by or under the terms of this Will, or any Codicil to it hereafter executed by me, or with respect to the proceeds of any policy or policies of insurance, or with respect to any other property included in my gross estate for the purpose of such taxes, or with respect to assets which are includable in the valuation of my gross estate for federal estate tax purposes only by reason of Sections 2041, 2042, or 2044 of the Internal Revenue Code of 1986 or corresponding provisions of any subsequent tax law, shall be paid out of the share of my residuary estate as an administrative expense without proration or apportionment against any legatee, devisee, beneficiary, transferee or other recipient of such property.

ITEM FIVE

Some of my tangible personal property has little or no monetary value, but does have sentimental value to me, members of my family and others, and I may make a memorandum written in my handwriting and signed by me, which may be found with my Last Will and Testament, setting forth the articles of tangible personal property that I desire to be disposed of to the persons listed therein, and I direct my Personal Representative to distribute the same in accordance with the provisions thereof. If for any reason such a memorandum is not found with my Last Will and Testament and

properly identified as such by my Personal Representative, then it shall be conclusively presumed that no such memorandum exists.

ITEM SIX

I have deliberately made no provision herein for the benefit of my children, not because of any lack of love or affection, but because I provided for them during my life.

ITEM SEVEN

All of the rest, residue and remainder of my estate, of every nature and whatsoever located, I devise and bequeath to the Baptist Children's Homes of North Carolina, Inc.

ITEM EIGHT


I nominate, constitute, and appoint Baptist Children's Homes of North Carolina, Inc. as Personal Representative of my Last Will and Testament, and request that it be permitted to serve without bond. I authorize Baptist Children's Homes of North Carolina, Inc., acting in its capacity as Personal Representative in the exercise of discretion and without an order of the Court, to do all things to perform all acts that to it shall seem requisite or desirable in the businesslike settlement of my estate, and including all powers set forth and described in Article 13 (Section 28A-13-3), Chapter 28A of the General Statutes of North Carolina. Without in any way limiting the generality of the foregoing, I hereby grant unto my Personal Representative hereunder all the powers set forth and described

in Article 3 (Section 32-27), Chapter 32 of the General Statutes of North Carolina, relating to powers of fiduciaries which are incorporated in this Last Will and Testament as if fully copied therein.

ITEM THIRTEEN

I direct that my Personal Representative shall be permitted to serve in such capacity in any jurisdiction without bond or other security of any nature whatever for the faithful performance of its duties as Personal Representative.

I, ARTHUR THOMAS ROBERTSON, JR., the Testator, sign my name to this instrument this 3 day of February, 1999, and being first duly sworn, do hereby declare to the witnesses and to the undersigned authority that I sign and execute this instrument as my Last Will and Testament and that I sign it willingly; that I execute it as my free and voluntary act for the purpose therein expressed, and that I am eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.


ARTHUR THOMAS ROBERTSON, JR., Testator (SEAL)

We, Cathy F. Ingram, Perri H. Penton,
and M. James Clarke II, the witnesses, sign our names to
this instrument, being first duly sworn, and do hereby declare to
the undersigned authority that the Testator signs and executes this
instrument as his Last Will and that he signed it willingly, and
that each of us, in the presence and hearing of the Testator,
hereby signs this Will as witness to the Testator's signing, and
that to the best of our knowledge, the Testator is eighteen (18)
years of age or older, of sound mind and under no constraint or
undue influence.

Cathy F. Ingram
Witness

of Southern Pines, N.C.

Perri H. Penton
Witness

of Southern Pines, N.C.

W. J. L...
Witness

of Southern Pines, N.C.

STATE OF NORTH CAROLINA

COUNTY OF MOORE

Subscribed, sworn to and acknowledged before me by ARTHUR
THOMAS ROBERTSON, JR., the Testator, and subscribed and sworn to
before me by:

Cathy F. Ingram, Perri H. Penton, and
M. James Clarke II, the witnesses, this 3 day of
February, 1999.

Yvonne B. Hance
Notary Public

My commission expires:

8-1-2000

Agenda Item: 4
Meeting Date: April 5, 2018

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Enslinger
Planning and Transportation Director

DATE: March 8, 2018

SUBJECT: Unified Development Ordinance Text Amendments

PRESENTER: Darya Cowick

REQUEST

Moore County Planning Staff is requesting the below text amendments to the Moore County Unified Development Ordinance:

Bold Text – additions to the ordinance

~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 5 (Dimensional Standards), Section 5.1 (Table of Area and Setbacks) as follows:

Reference: NCGS 153A-326 and 160A-306. ~~(Properties located within a Highway Corridor Overlay District may have additional setback requirements.)~~ **Additional setback standards: fences & walls (Section 7.7), Highway Corridor Overlay District (Section 7.8), signs (Section 7.16), setback encroachments such as porches (Section 7.15), and Administrative Variances for non-conforming lots (Section 9.7).**

REASON. New language refers to the additional setbacks standards that are commonly searched for by the public and staff.

2. *REMOVE* Chapter 5 (Dimensional Standards), Section 5.1 (Table of Area and Setbacks) as follows:

Minimum Lots Size Requirements		Principal Building Setbacks (Feet)	Accessory Building Setbacks (Feet)
MHP-CZ	3 acres	Refer to Section 8.15	

REASON. Correction of a typo. Manufactured home parks require a conditional use permit so it should not be listed as a conditional rezoning district.

3. *AMEND* Chapter 6 (Table of Uses), Section 6.1 (Use Table), Subsection E (Prohibited Uses) as follows:

E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to a ~~permitted~~ **allowed** individual use by applying the following criteria.

REASON. The word “permitted” may be mistakenly interpreted to mean only “use-by-right.” The word is changed to “allowed” to clarify the meaning to be any types of use (permitted, conditional, or conditional rezoning).

4. *AMEND* Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	S-1
Drop-In Child Care Facility											P	P	P		8.110	
Itinerant Merchant											P	P	P	P	8.110 8.111	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114 8.112	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.112 8.113	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.113 8.114	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114 8.115	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.115 8.116	n/a

REASON. Added the new use per state statutes.

5. *AMEND* Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District), Subsection F. (Minimum Lot, Buildings, and Screening Standards) as follows:

	Urban Village	Urban Transition	Rural Highway
District Boundaries from ROW lines	300 feet	400 feet	500 feet
Front Building Setback from highway	50 feet	75 feet	75 feet
Front Parking Setback from highway	30 feet	50 feet	50 feet
Building Setback from Residential Districts	25 feet	50 feet	50 feet
Building Setback from Non-Residential	5 feet	25 feet	25 feet
Maximum Built Upon Surface	70%	70%	70%
Maximum Building Height	35 feet	35 feet	35 feet
Required Buffer Plantings from ROW line	Type 3 Screening (Section 7.11)		

REASON. Added the word “building” to the table to clarify the setback is only for buildings.

6. *AMEND* Chapter 7 (General Development Standards), Section 7.16 (Signs), Subsection J. (Off-Premise Signs) as follows:

- J. Off-Premise Signs (excluding Billboards). Off-premise signs (excluding billboards) are permitted in the RA, B-1, B-2, RE, RA-5, RA-2, RA-40, **and VB** Zoning Districts subject to the following:
1. For premise / lots of 5 acres or more in size and having a street frontage greater than 400 feet, a second sign may be erected if the total display area of both signs does not exceed 32 square feet (second sign shall also not exceed 6 feet in height).
 2. **No more than 1 off-premise sign per property.** ~~An One~~ off-premise advertising sign displaying multiple businesses may be used as the allowed sign(s) per premise, as long as the sign does not exceed 15 feet in height, 50 square feet in total display area.
 3. No more than 3 off-premise advertising signs, **per business**, not including billboards, shall not advertise on a premise farther than 4 miles measured in a straight line distance from the sign to the closest parcel boundary on which the business, is located.
 4. No residential development, business, institution, or industry with frontage on any of the following roadways: US Highway 1, US Highway 15-501, NC Highway 2, NC Highway 5, NC Highway 22, NC Highway 24/27, NC Highway 211 (**with the exception of properties zoned VB**), NC Highway 690, or NC Highway 705 is eligible to use this type of signage.
 5. Signs must be placed on a lot of record and the applicant shall provide a notarized statement from all owners of property allowing the off-premise advertising sign to be erected on their property.
 6. Verification from the North Carolina Department of Transportation that the sign will not be in violation of any State regulations at its proposed location must be submitted with the sign permit application.

REASON. Added off-premise language to accommodate the Seven Lakes Business Community.

7. *AMEND* Chapter 7 (General Development Standards), Section 7.15 (Setback Encroachments) as follows:

Fire escapes, awnings, stairways, steps, **ramps**, stoops, balconies, decks, ~~and~~ uncovered porches, **and similar items** may not project more than 4 feet into any required setback. Sills, cornices, eaves, gutters, buttresses, ornamental features, and similar items may not project more than 30 inches. Additional minor housing elements may project. Refer to Section 9.7 for setback subsidizations for existing lots of record.

REASON. Added “ramps” to the list of minor housing elements which may encroach into the setbacks.

8. *AMEND* Chapter 8 (Specific Use Standards), Section 8.1 (Accessory Uses or Buildings), as follows:

- A. Definition. An accessory use or building shall be incidental and subordinate to the principle use or building and shall be conducted or located on the same lot. Examples of accessory buildings may include garages, carports, ~~agricultural uses~~ **barns**, and storage buildings.
- B. Standards. Accessory buildings shall be located in the rear or side yard, with the exception of the RA Zoning District which allows accessory buildings in the front yard, and shall meet the required accessory building setbacks. **Accessory horse stables are permitted in the front or side yard in the RA and RE Zoning Districts.**

REASON. Replaces “agricultural uses” with “barn” because an agricultural use is not a building. Permits horse stables in the front or side yard to incorporate design options for the equestrian community.

9. *AMEND* Chapter 8 (Specific Use Standards), Section 8.12 (Home Occupation, Level 2) as follows:

8.12 Home Occupation, Level 2

- A. Definition. Any business, occupation, or activity undertaken for gain that is incidental and secondary to the use of the stick-built dwelling unit. Level 2 Home Occupations are of a more intensive nature due to the types of uses operated.
- B. Standards. 1 home occupation shall be permitted per lot. Level 2 Home Occupations shall be limited to a maximum of 50% of the gross floor area of the principal building, the entirety of an accessory building, or a combination thereof. ~~The accessory building shall be less than or equal to the square footage of the principal building and shall be located in the rear yard and a minimum 50 feet from any adjoining property line or street right-of-way.~~ The operator of the home occupation must reside on the same lot as the operation. More than one individual, not a resident of the dwelling may be employed. The specific use to be operated as the home occupation must comply with the specific uses standards, signage, parking, outdoor storage, screening, and other applicable regulations. The following uses are those that have been determined to be suitable as a Level 2 Home Occupation:
 - 1. Animal Shelters (**Section 8.20**)
 - 2. Kennels, Overnight (**Section 8.22**)
 - 3. Pet Day Care, Grooming, Obedience Training (**Section 8.23**)
 - 4. Small Appliance Repair Shop (may include outdoor storage) (**Section 8.30**)
 - 5. Trade Contractor Office and Workshop (may include outdoor storage) (**Section 8.32**)
 - 6. Feed and Seed Sales (**Section 8.35**)
 - 7. Florist (**Section 8.36**)
 - 8. Garden Center (**Section 8.38**)
 - 9. Taxi Service (**Section 8.48**)

10. Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, Service (Section 8.49)
11. Child Care Facility (Section 8.62)
12. Recreation, Low Impact Outdoor (Section 8.85)
13. Contractors Storage Yard and Office (Section 8.93)

REASON. The unnecessary standards from the Home Occupation Level 2 category are removed. Conditional Use Permit are approved on a case by case basis. Depending on the situation, the Board can impose additional conditions tailored to specific circumstances (such as setbacks, size limitations, etc.) to ensure all findings of fact are met. In addition, the list of uses have been reorganized in numerical order per Specific Use Standards sections.

10. *AMEND* Chapter 8 (Specific Use Standards), Section 8.13 (Manufactured Home) as follows:

8.13 Manufactured Home

- A. **Definition.** A factory built single-family dwelling, which is manufactured under the authority of the Federal Manufactured Home Construction and Safety Standards Act of 1976.
- B. **Standards.** **Prior to Zoning Permit expiration a Building Permit shall be issued.** Before a Certificate of Occupancy is issued, all manufactured homes shall have either a solid foundation or skirting that fully encloses the crawl space **and all utilities per the NC Building Code.** ~~Manufactured homes located within Moore County prior to August 18, 1997 are exempt from this skirting requirement.~~ All manufactured homes placed or located on any lot, if constructed after June 15, 1976 must display the HUD label indicating that the unit meets or exceeds the construction standards approved by the U.S. Department of Housing and Urban Development. A manufactured home that was constructed prior to June 15, 1976 that is already located within Moore County may be moved within the County provided all permits are obtained for set-up.
- C. **Prohibited.** **No manufactured home (mobile home, trailer, manufactured office, etc.) shall be used in any manner for business or commercial purposes except when used for a sales office on a manufactured home sales lot, an administrative office for a manufactured home park, or for a temporary use approved by the Administrator.**

REASON. 1. Language is clarified to include required permitting steps for a manufactured home setup. 2. Skirting language is contradictory to the NC Building Code. 3. Manufactured homes are only allowed in the residential zoning districts per the Table of Uses. For clarification, staff included prior UDO language to specify such.

11. *AMEND* Chapter 8 (Specific Use Standards), Section 18.20 (Animal Shelter), Subsection B (Standards) as follows:

- B. **Standards.** All outdoor facilities such as play areas, cages, kennels, or pens shall be a minimum of 100 **feet** from any residentially zoned property line. A separate 6 foot perimeter fence is required if any animals have access to an outdoor enclosure, including

unsupervised exercise areas. 1 parking space for each employee plus 1 space for every 3 kennels. All operations, including the provision of waste disposal and the removal of carcasses, shall comply with all federal, state, and local requirements.

REASON. Correction of a typo.

12. *AMEND* Chapter 8 (Specific Use Standards), Section 18.66 (Government Facility), Subsection A (Definition) as follows:

- A. **Definition.** A building or land use owned, operated, or occupied by a local, state, or federal governmental agency to provide a governmental service to the immediate area and needs of the county citizens. Examples include, but are not limited to, emergency service facilities, county offices, county utilities, libraries, post offices, ~~libraries~~, employment offices, public assistance offices, vehicle registration and licensing services, and public recreational facilities, open space, and parks.

REASON. Correction of a typo. “Libraries” is listed twice.

13. *ADD* Chapter 8 (Specific Use Standards), Section 8.110 (Drop-In Child Care Center) as follows:

8.110 Drop-In Child Care Facility

- A. **Definition.** Per NCGS 110- 86(2)(d)(d1), drop-in or short-term care provided while parents participate in activities that are not employment related and where the parents are on the premises or otherwise easily accessible, such as drop-in or short-term care provided in health spas, bowling alleys, shopping malls, resort hotels, or churches. Drop-in or short-term care can also be provided by an employer for its part-time employees where the child is provided care not to exceed 2 ½ hours during that day, the parents are on the premises, and there are no more than 25 children in any one group in any one room;

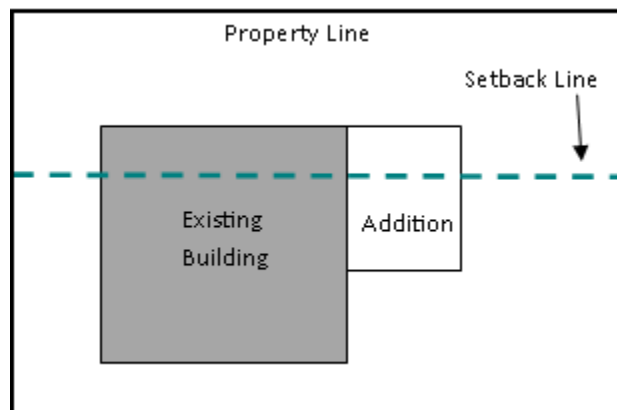
REASON. Specific Use Standards added for the new use per state statutes.

14. *AMEND* Chapter 9 (Nonconforming Situations), Section 9.4 (Expansions) as follows:

9.4 Expansion

Expansions to nonconforming buildings or structures shall meet the requirements of this ordinance; however the built upon area of existing development built prior to December 31, 1993 is not required to be included in the density / built-upon area calculations. Nonconforming uses of buildings may be extended throughout the building provided no structural alterations (except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building) are made therein but no such use shall be extended to occupy any land outside the building. Nonconforming uses of land shall not be extended to occupy a greater area of land. **An addition to a nonconforming building or structure may be extended but cannot extend further into the setback.**

Nonconforming signs cannot be physically expanded, enlarged, or extended in any manner.



REASON. Clarifies how legal nonconforming buildings may be expanded.

15. *AMEND* Chapter 11 (Conditional Rezoning), Section 11.B. (Community Meeting) as follows:

1. Notifying by certified return receipt mail to owners of each property petitioned for rezoning, owner of each abutting property, ~~property within 250 feet of the petitioned property,~~ and the Home Owners Association (if applicable) at least 10 days prior to the community meeting.

REASON. Removed the 250 foot requirement to be consistent with adjacent property language and to ensure postage costs for the applicant are reasonable.

16. *AMEND* Chapter 18 (Subdivisions), Section 18.5 (Minor Subdivisions), Subsection C (Minor Plat Submittal Requirements) as follows:

- A. Minor Plat Submittal Requirements. The plat shall be submitted in conformance with (1) all applicable zoning and subdivision requirements, (2) does not require the extension of a public water or sewer line other than laterals ~~to serve more than 4 individual lots,~~ (3) easements shall be 50 feet from intermittent streams and 100 feet from perennial streams, (4) NCGS 47-30, including but not limited to the applicable information required in Section 18.15, and (4) includes applicable statements required in Section 18.16.

REASON. More than 4 individual lots would create a major subdivision so the sentence should be revised to clarify that minor subdivision does not require the extension of public water or sewer. If water or sewer lines are required then the proposed subdivision requires major subdivision approval to ensure the adequate utility infrastructure is installed prior to a subdivision approval.

17. *ADD* Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection S (Cluster Mailboxes) as follows:

S. Cluster Mailboxes. Appropriate mail receptacles must be provided for the receipt of mail as approved by the Postal Service and other applicable departments.

REASON. Language updated to meet US Postal Service regulations.

18. *AMEND* Chapter 18 (Subdivisions), Section 18.8 (Conservation Design Standards) as follows:

- A. **Minimum Open Space Required.** At least 30% of the total land area shall be set aside as protected open space. At least 60% of the required open space shall be contiguous. The right-of-way area is not included in the calculation of minimum open space required. In addition to woodlands, agriculture, historical site, or natural areas, open space may include vegetative perimeter buffers (minimum 25 feet wide of Type 3 Screening). Public and/or private passive or active recreation areas may also be included within open space area contingent that the impervious surface area is limited to 10% of the total opens space. Areas in access shall be located outside of the protected open space. **Wetlands**, storm water management facilities that are designed to look like natural areas, and waterbodies such as ponds ~~and wetlands~~ may also be used provided the total area of water surface does not comprise more than 50% of the required open space.

REASON. Clarifies that wetlands (not just water body) can account for up to 50% of the proposed open space in a subdivision.

19. *AMEND* Chapter 18 (Subdivisions), Section 18.15 (Subdivision Plat Requirements) as follows:

Information Required	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
Street Layout					
Proposed and existing right-of-ways – label public or private streets	x	x	x	x	x
Right-of-way & pavement location, widths, & dimensions			X	x	x

REASON. Correction of a typo from the previous UDO.

20. *AMEND* Chapter 18 (Subdivisions), Section 18.16 (Certificate of Purpose of Plat) as follows:

Map Size and Materials					
Min. margin 1½" on left side, ½" on all other sides	x	x	x	x	x
Legible black ink on mylar or white paper	x	x	x	x	x

REASON. Regulations have been updated to meet current statutory requirements (Session Law 2017-27, House Bill 454).

21. *AMEND* Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

Lot Lines. The property lines bounding a lot. **Where a lot of record includes a right-of-way, the lot lines are presumed not to extend into the right-of-way.**

REASON. The second sentence was accidentally omitted from the definition of Lot Lines” in the 2016 UDO Rewrite. The sentence was included in the previous UDO and is being added back for clarity on the zoning definition of lot lines.

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board’s review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

ATTACHMENTS

- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Planning Board Consistency Statement – Approval



MOORE COUNTY
Proposed Text Amendments to Chapters 5, 6, 7, 8, 11, 18, & 19
of the Unified Development Ordinance
March 22, 2018

The Regional Land Use Advisory Commission (RLUAC) staff and Board of Directors have reviewed the proposed text amendments for the Moore County Unified Development Ordinance and find no conflicts with the recommendations contained in the 2003 and 2008 Joint Land Use Studies.

RLUAC therefore has no issues or concerns with the proposed text amendments to the Moore County Unified Development Ordinance.

Thank you for allowing RLUAC the opportunity to review the proposed changes.

Robert McLaughlin, Chairman

James Dougherty, Executive Director

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals and Rural Agricultural Future Land Use Category listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.7: Support and promote local businesses.
- Action 1.7.3: Ensure land use policies allow a wide variety of home occupations.
- Action 1.7.4: Implement land use policies that allow for “commercial and light industrial home occupations” with some reasonable conditions endorsed by the community.

The text amendment is consistent with the Goals listed above due to the compatibility of land use goals supporting local businesses including those in the Seven Lakes Village Business District and Level 2 Home Occupations.

2. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.

Eddie Nobles, Chair
 Moore County Planning Board

Date